



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 5.400, 3CON Building
175 N Street, NE
Washington, DC 20530

(202) 252-6020
FAX (202) 252-6048

June 22, 2018

J.K. Trotter
Muckrock
4114 Highland Ave
Somerville, MA 02144-2516

Re: Request Number: FOIA-2017-000983 Date of Receipt: March 30, 2017
Subject of Request: Rodriguez (Deceased) – USAO Southern Florida

Dear Requester:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys.

To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Attorney General, is exempt from the access provisions of the Privacy Act. 28 CFR § 16.81. We have also processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. This letter is a [x] partial denial.

Enclosed please find:

89 page(s) are being released in full (RIF)
0 page(s) are being released in part (RIP);
75 page(s) are withheld in full (WIF). **The redacted/withheld documents were reviewed to determine if any information could be segregated for release.**

The exemption(s) cited for withholding records or portions of records are marked below. An enclosure to this letter explains the exemptions in more detail.

(b)(3) in conjunction with Federal Rule of Criminal Procedure 6e [grand jury]
(b)(3) in conjunction with Federal Rule of Criminal Procedure 32 [Presentence Report -56 pages of WIF]
(b)(5) attorney work product privilege
(b)(6) & (b)(7)(C) (individual personal privacy/third party records within file)
(b)(7)(D) confidentiality of source/information provided

☐ In addition, this office is withholding grand jury material which is retained in the District.

☒ A review of the material revealed:

☐ Our office located records that originated with another government component. **These records were found in the U.S. Attorney's Office files.** These records will be referred to the following component(s) listed for review and direct response to you:


☐ There are public records which may be obtained from the clerk of the court or this office, upon specific request. If you wish to obtain a copy of these records, you must submit a new request. These records will be provided to you subject to copying fees.

☒ See additional information attached.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Kevin Krebs
Assistant Director

Enclosure(s)

ADDENDUM TO THE EXPLANATION OF EXEMPTION SHEET

X Rule 6(e) of the Federal Rules of Criminal Procedure pertains to the Federal Grand Jury, its integrity and the secrecy surrounding the Jury.

☐ Under the Freedom of Information Act, an agency has no discretion to release any record covered by an injunction, protective order, or court seal which prohibits disclosure. See GTE Sylvania, Inc. v. Consumers Union, 445 U.S. 375, 386-387 (1980); See also Robert Tyrone Morgan v. U.S. Dept. of Justice, 923 F.2d 195 (D.C. Cir. 1991).

EXPLANATION OF EXEMPTIONS

FOIA: TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by and Executive order to be kept secret in the in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

PRIVACY ACT: TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability eligibility, or qualification for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.

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Docket

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US District Court Criminal Docket

U.S. District - Florida Southern
(West Palm Beach)

9:09mj8308

USA v. Rodriguez

This case was retrieved from the court on Tuesday, June 19, 2018

Update Now

Date Filed: 12/01/2009 Class Code: OPEN
Other Docket: None Closed: no

Defendants

Name

Alfredo Rodriguez(1)
[Term: 01/29/2010]
YOB: 1954; Prisoner: # 73608-004

Attorneys

Dave Lee Brannon
LEAD ATTORNEY; ATTORNEY TO BE NOTICED
Federal Public Defender's Office
450 Australian Avenue Suite 500
West Palm Beach, FL 33401
USA
561-833-6288
Fax: 561-833-0368
Designation: Public Defender Appointment
Email: Dave_Brannon@fd.org

Charges

Complaints: 18:1512C.F Tampering with a Witness, Victim, or an Informant

Pending: none

Terminated: none

Case Assigned to: Magistrate Judge Linnea R. Johnson

Disposition

U. S. Attorneys

Ann Marie C. Villafana
ATTORNEY TO BE NOTICED
United States Attorney's Office
500 South Australian Ave Suite 400
West Palm Beach, FL 33401
USA
561-820-8711
Fax: 820-8777
Email: ann.marie.c.villafana@usdoj.gov

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Availability	No.	Date
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Proceeding Text			
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<input type="checkbox"/> Online	1	12/01/2009	MOTION to Seal Criminal Complaint by USA as to Alfredo Rodriguez. Responses due by 12/18/2009 (tmn) (Entered: 12/09/2009)
<input type="checkbox"/> Online	2	12/01/2009	SEALED ORDER granting 1 Motion to Seal Criminal Complaint as to Alfredo Rodriguez (1). Signed by Magistrate Judge Linnea R. Johnson on 12/1/2009. (tmn) (Entered: 12/09/2009)
<input type="checkbox"/> Online	3	12/01/2009	CRIMINAL COMPLAINT as to Alfredo Rodriguez (1). (tmn) (Entered: 12/09/2009)
Runner		12/08/2009	Arrest of Alfredo Rodriguez (gm1) (Entered: 12/30/2009)
<input type="checkbox"/> Online	5	12/09/2009	Minute Entry for proceedings held before Magistrate Judge Linnea R. Johnson: Initial Appearance and Bond Hearing as to Alfredo Rodriguez held on 12/9/2009. (Digital 10:08:09.) (Tape #LRJ 09-64-1945.) (sa) (Entered: 12/09/2009)
<input type="checkbox"/> Online	6	12/09/2009	Order on Initial Appearance as to Alfredo Rodriguez for proceeding held on 12/9/2009. Tape #LRJ 09-64-1945 (Digital 10:08:09.), (Arraignment and Report Re: Counsel Hearing set for 12/30/2009 at 9:00 AM in West Palm Beach Division before Magistrate Judge James M. Hopkins.) Signed by Magistrate Judge Linnea R. Johnson on 12/9/2009. (sa) (Entered: 12/09/2009)
<input type="checkbox"/> Online	7	12/09/2009	\$50,000 PSB Entered as to Alfredo Rodriguez. Approved by Magistrate Judge Linnea R. Johnson. Special Conditions: Report to Pretrial Services 1X per month in person and 1X per month by telephone;None of the signatories may sell, pledge, mortgage, etc., any property they own, real or personal, until the bond is discharged;Curfew-midnight to 6 am.Comply with additional conditions of bond; All Standard Conditions Apply. (sa) (Entered: 12/09/2009)
<input type="checkbox"/> Online	8	12/21/2009	Notice of Assignment of Assistant Federal Public Defender as to Alfredo Rodriguez. Attorney Dave Lee Brannon added. (Brannon, Dave) (Entered: 12/21/2009)
<input type="checkbox"/> Online	9	12/21/2009	Invocation of Right to Silence and Counsel by Alfredo Rodriguez (Brannon, Dave) Modified on 12/22/2009 (ls). (Entered: 12/21/2009)
<input type="checkbox"/> Online	10	12/21/2009	DEMAND for Disclosure of Expert Witness Summaries as to Alfredo Rodriguez (Brannon, Dave) Modified on 12/22/2009 (ls). (Entered: 12/21/2009)
<input type="checkbox"/> Online	11	12/21/2009	Minute Entry for proceedings held before Magistrate Judge Ann E. Vitunac: Report Re: Counsel Hearing as to Alfredo Rodriguez held on 12/21/2009. (Arraignment reset for 2/1/2010 10:00 AM in West Palm Beach Division before Magistrate Judge Ann E. Vitunac.) (Digital 10:17:33.) (Tape #AEV-09-100(790-998).) (kza) (Entered: 12/22/2009)
<input type="checkbox"/> Online	12	12/28/2009	Report Commencing Criminal Action as to Alfredo Rodriguez - YOB: **/**/1954 Prisoner #: 73608-004. (kza) (Entered: 12/28/2009)
<input type="checkbox"/> Online	13	12/28/2009	Arrest Warrant returned executed on 12/08/2009 as to Alfredo Rodriguez re 4 Arrest Warrant Issued. (kza) (Entered: 12/28/2009)
<input type="checkbox"/> Online	14	01/25/2010	Order on Partial Indigency for Appointment of Counsel and Distribution of Available Funds as to Alfredo Rodriguez Directing Funds in the amount of \$5,000 be deposited with the Clerk of Court. Pretrial Services shall determine a payment schedule for Defendant's reimbursement. Signed by Magistrate Judge Ann E. Vitunac on 1/25/2010. (kza) (Entered: 01/25/2010)

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U.S. District - Florida Southern
(West Palm Beach)

9:10cr80015

USA v. Rodriguez

This case was retrieved from the court on Tuesday, June 19, 2018

Update Now

Date Filed: 01/29/2010

Class Code: OPEN

Other Docket: Magistrate Judge case number: 9:09mj08308

Closed: no

Defendants

Name

Alfredo Rodriguez(1)
[Term: 06/21/2010]
YOB: 1954; Prisoner # 73608-004

Attorneys

Dave Lee Brannon
LEAD ATTORNEY; ATTORNEY TO BE NOTICED
Federal Public Defender's Office
450 Australian Avenue Suite 500
West Palm Beach, FL 33401
USA
561-833-6288
Fax: 561-833-0368
Designation: Public Defender Appointment
Email: Dave_Brannon@fd.org

Charges

Complaints: 18:1512C.F Tampering with a Witness, Victim, or an Informant

Pending: TAMPERING WITH A WITNESS, VICTIM, OR AN INFORMANT(1)
Offense Level (Opening): Felony

Terminated: none

Case Assigned to: Judge Kenneth A. Marra

Case Referred to: Magistrate Judge James M. Hopkins

Disposition

18 months BOP, two years supervised release, \$100 special assessment

U. S. Attorneys

Ann Marie C. Villafana
ATTORNEY TO BE NOTICED
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Fax: 820-8777
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Documents

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<input type="checkbox"/>	Availability	No.	Date	Proceeding Text
				<input type="text"/> <input type="button" value="Filter"/>
<input type="checkbox"/>	Online	1	12/01/2009	MOTION to Seal Criminal Complaint by USA as to Alfredo Rodriguez. Responses due by 12/18/2009 (tmn) [9:09-mj-08308-LRJ] (Entered: 12/09/2009)
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<input type="checkbox"/>	Online	10	12/21/2009	DEMAND for Disclosure of Expert Witness Summaries as to Alfredo Rodriguez (Brannon, Dave) Modified on 12/22/2009 (ls). [9:09-mj-08308-LRJ] (Entered: 12/21/2009)
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<input type="checkbox"/>	Online	13	12/28/2009	Arrest Warrant returned executed on 12/08/2009 as to Alfredo Rodriguez re 4 Arrest Warrant Issued. (kza) [9:09-mj-08308-LRJ] (Entered: 12/28/2009)
<input type="checkbox"/>	Online	14	01/25/2010	Order on Partial Indigency for Appointment of Counsel and Distribution of Available Funds as to Alfredo Rodriguez Directing Funds In the amount of \$5,000 be deposited with the Clerk of Court. Pretrial Services shall determine a payment schedule for Defendant's reimbursement. Signed by Magistrate Judge Ann E. Vitunac on 1/25/2010. (kza) [9:09-mj-08308-LRJ] (Entered: 01/25/2010)
<input type="checkbox"/>	Online	15	01/29/2010	INFORMATION as to Alfredo Rodriguez (1) count(s) 1. Arraignment set for 2/1/2010 10:00 AM in West Palm Beach Division before Magistrate Judge Ann E. Vitunac. (kza) (Entered: 01/29/2010)
<input type="checkbox"/>	Online	16	02/01/2010	WAIVER OF INDICTMENT by Alfredo Rodriguez. (kza) (Entered: 02/02/2010)
<input type="checkbox"/>	Online	17	02/01/2010	Minute Entry for proceedings held before Magistrate Judge Ann E. Vitunac: Arraignment as to Alfredo Rodriguez (1) Count 1 held on 2/1/2010. (Digital 10:04:36.) (Tape #AEV-10-03-(1850-1983).) (kza) (Entered: 02/02/2010)
<input type="checkbox"/>	Online	18	02/01/2010	ARRAIGNMENT INFORMATION SHEET Not Guilty Plea entered as to counts Alfredo Rodriguez (1) Count 1. Court accepts plea. Arraignment held on 2/1/2010 before Magistrate Judge Ann E. Vitunac. (kza) (Entered: 02/02/2010)
<input type="checkbox"/>	Online	19	02/01/2010	ORDER RE: STATUS CONFERENCE, SPEEDY TRIAL, PRETRIAL MATTERS as to Alfredo Rodriguez. Signed by Magistrate Judge Ann E. Vitunac on 2/1/2010. (kza) (Entered: 02/02/2010)
<input type="checkbox"/>	Online	20	02/01/2010	STANDING DISCOVERY ORDER as to Alfredo Rodriguez. All motions concerning matters not covered by this order must be filed within 28 days of this order. Signed by Magistrate Judge Ann E. Vitunac on 2/1/2010. (kza) (Entered: 02/02/2010)
<input type="checkbox"/>	Online	21	02/03/2010	SCHEDULING ORDER as to Alfredo Rodriguez : Calendar Call set for 3/19/2010 09:00 AM in West Palm Beach Division before Judge Kenneth A. Marra. Jury Trial set for 3/22/2010 09:00 AM in West Palm Beach Division before Judge Kenneth A. Marra. ORDER REFERRING CASE to Magistrate Judge James M. Hopkins as to Alfredo Rodriguez for Pretrial. Signed by Judge Kenneth A. Marra on 2/3/2010. (lr) (Entered: 02/03/2010)
<input type="checkbox"/>	Online	22	02/17/2010	RESPONSE to Standing Discovery Order by USA as to Alfredo Rodriguez (Villafana, Ann Marie) (Entered: 02/17/2010)
<input type="checkbox"/>	Online	23	03/16/2010	NOTICE OF HEARING as to Alfredo Rodriguez: Change of Plea Hearing set for 3/18/2010 03:00 PM in West Palm Beach Division before Judge Kenneth A. Marra. (lr) (Entered: 03/16/2010)
<input type="checkbox"/>	Online	24	03/18/2010	Minute Entry for proceedings held before Judge Kenneth A. Marra: Change of Plea Hearing as to Alfredo Rodriguez held on 3/18/2010 Alfredo Rodriguez (1) Guilty Count 1. Court Reporter: Stephen Franklin, 561-514-3768 / Stephen_Franklin@flsd.uscourts.gov (lr) (Entered: 03/18/2010)
<input type="checkbox"/>	Free	25	03/18/2010	PLEA AGREEMENT/FACTUAL PROFFER STATEMENT as to Alfredo Rodriguez (lr) (Entered: 03/18/2010)
<input type="checkbox"/>	Online	26	03/18/2010	NOTICE/ORDER OF SENTENCING as to Alfredo Rodriguez: Sentencing set for 6/18/2010 10:00 AM in West Palm Beach Division before Judge Kenneth A. Marra. (lr) (Entered: 03/18/2010)
<input type="checkbox"/>	Online	29	06/17/2010	NOTICE Notice of Filing by Alfredo Rodriguez (Attachments: # 1 Letters)(Brannon, Dave) (Entered: 06/17/2010)
<input type="checkbox"/>	Online	30	06/18/2010	Minute Entry for proceedings held before Judge Kenneth A. Marra: Sentencing held on 6/18/2010 as to Alfredo Rodriguez. Court Reporter: Stephen Franklin, 561-514-3768 / Stephen_Franklin@flsd.uscourts.gov (lr) (Entered: 06/18/2010)
<input type="checkbox"/>	Free	31	06/21/2010	JUDGMENT as to Alfredo Rodriguez (1), Count(s) 1, 18 months BOP, two years supervised release, \$100 special assessment for sentencing held on 6/18/2010. Signed by Judge Kenneth A. Marra on 6/18/2010. (lr) (Entered: 06/21/2010)
<input type="checkbox"/>	Online	32	06/22/2010	TRANSCRIPT of Sentencing as to Alfredo Rodriguez held on 06/18/2010 before Judge Kenneth A. Marra, 1-18 pages, Court Reporter: Stephen Franklin, 561-514-3768 / Stephen_Franklin@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/16/2010. Redacted Transcript Deadline set for 7/26/2010. Release of Transcript Restriction set for 9/23/2010. (sf) (Entered: 06/22/2010)

Items 1 to 30 of 30

News Articles

6 PAGES

Ex-Epstein worker faces obstruction charges

By **SUSAN SPENCER-WENDEL**

Palm Beach Post Staff Writer

Updated: 7:32 p.m. Monday, Jan. 25, 2010

Posted: 3:12 p.m. Monday, Jan. 25, 2010

A former employee of sex-scandal-plagued Jeffrey Epstein has been charged with obstruction of justice after the employee allegedly withheld critical information from federal agents — an expansive list of Epstein victims and witnesses — as investigators probed the Palm Beach financier for sexual exploitation of minors.

According to an FBI agent's affidavit, Alfredo Rodriguez offered to later sell the information for \$50,000 — Rodriguez calling it the "Holy Grail" or "Golden Nugget" — to a government witness, who is not named in the affidavit.

The affidavit does not refer to Epstein by name, either.

In early November, an undercover FBI agent was sent in to make the buy from Rodriguez. Rodriguez, born in 1954, had told police that he worked for Epstein as a butler, chauffeur, chef and houseman, sometimes picking up and cleaning sex toys left behind after Epstein finished his encounters with the underage girls.

According to the affidavit, Rodriguez met the undercover agent and produced a small bound book and several sheets of legal paper, which he told the agent he had taken from Epstein's home while employed there in 2004 and 2005. Rodriguez then began counting his \$50,000 payoff.

He was stopped, detained on the spot and questioned by agents, according to the affidavit.

Rodriguez told agents of witnessing nude girls whom he believed to be underage at Epstein's pool area, of knowing that his former employer was having sex with underage girls, and of viewing underage pornography on computers in Epstein's home.

Special Agent Christina Pryor wrote that later review of the papers and book Rodriguez handed over revealed information "that would have been extremely useful in investigating and prosecuting the case, including names and contact information of material witnesses and additional victims."

"Had those items been produced in response to inquiries of state law enforcement officers or the Special Agents, their contents would have been presented to the federal grand jury," Pryor wrote.

The information allegedly withheld by Rodriguez may have been a tipping point in the controversial probe of Epstein. Federal prosecutors ended up striking an extraordinary deal with Epstein and his top-flight lawyers: agreeing to recall grand jury subpoenas if Epstein pleaded guilty to prostitution-related felonies in state court, which he ultimately did.

Epstein received an 18-month jail sentence. He served 13 months and was allowed to leave the jail most waking hours of the day.

An attorney for Rodriguez, Assistant Federal Public Defender Dave Brannon, declined to comment on his behalf.

An unnamed government witness mentioned in the affidavit is likely one of the attorneys representing women in a gaggle of current civil lawsuits against Epstein.

The affidavit outlines how the unnamed witness had deposed Rodriguez, who denied having documents, then received a call from Rodriguez later offering to sell for \$50,000 the "Holy Grail."

"Rodriguez explained that the information contained hundreds of additional victims and their phone numbers from diverse geographic locations including New York, New Mexico and Paris," according to the affidavit.

Rodriguez is scheduled to be arraigned in federal court Monday.

Also in the affidavit are the reasons Rodriguez cited to the unnamed witness for why he withheld the lists from



Epstein's former house manager fails to enter plea

By MICHELE DARGAN
Daily News Staff Writer

Monday, February 01, 2010

A former house manager for convicted sex offender Jeffrey Epstein failed to enter a plea Monday on an obstruction charge.

Alfredo Rodriguez withheld documents relating to Epstein victims during a federal investigation into "the sexual exploitation of minors," according to an FBI affidavit filed with the criminal complaint.

Rodriguez, who worked for Epstein in 2004 and 2005, allegedly tried to sell the documents to an attorney representing Epstein victims in exchange for \$50,000, according to the affidavit, which does not cite Epstein nor the attorney by name.

Epstein, 57, was released from the Palm Beach County Stockade in July, after serving less than 13 months of his 18-month sentence for procuring a minor for prostitution and soliciting prostitution. He was let out on a liberal work release program for much of his jail time. The billionaire money manager is serving one year of probation in his El Brillo Way mansion. The U.S. Attorney's Office filed a non-prosecution agreement in Epstein's case, saying that there would be no federal charges filed if Epstein successfully completed his state sentence and probation.

More than a dozen lawsuits against Epstein are pending in federal and state court, all with similar allegations: that a minor girl was taken to Epstein's mansion on El Brillo Way and led upstairs to a spa room by one of Epstein's assistants, where he would ask the girl to perform massages and/or various sex acts, for which he would pay her.

Dressed in a blue blazer and yellow tie Monday, Rodriguez declined comment as he entered the federal courthouse in West Palm Beach for the arraignment.

Federal Public Defender Jonathan Pinoli entered a "stand mute" plea on behalf of Rodriguez to the one-count obstruction of justice charged in an information. U.S. Magistrate Judge Ann Vitunac said she would enter a not guilty plea on his behalf, which is generally the protocol when a defendant "stands mute" in court.

The filing of an information rather than an indictment signals the possible cooperation with the government in resolving the case.

The information says Rodriguez "did corruptly conceal a record, document or other object, with the intent to impair the object's availability for use in an official proceeding."

The maximum penalty Rodriguez faces is 20 years in prison followed by three years supervised release and a \$250,000 fine.

Rodriguez has been free on \$50,000 bond secured by his home since his Dec. 9 bond hearing.

The details in the Rodriguez affidavit, filed by FBI Special Agent Christina Pryor, state an unnamed attorney representing one or more victims in civil litigation against Epstein was present for Rodriguez's testimony in two depositions (July 27 and Aug. 9, 2009). Both times Rodriguez testified "he had no documents" as was requested by subpoena.

After the second deposition, the attorney received a phone call from Rodriguez, saying he had additional information that he had not disclosed to anyone, describing it as the "Holy Grail or Golden Nugget."

Rodriguez said he had lists with "hundreds of additional victims and their phone numbers from diverse geographic locations, including New York, New Mexico and Paris, France."

But Rodriguez told the attorney he wanted \$50,000 for the lists.

Posing as an associate of the attorney, an undercover FBI agent contacted Rodriguez.

During that conversation, Rodriguez admitted that he knew the information was relevant to the FBI's criminal investigation. He said he didn't turn over the information because it was his property and he should be compensated for it, and he was afraid that Epstein would "make him disappear or otherwise harm him and the information was his insurance policy."

When he met with the undercover FBI employee, Rodriguez produced a small bound book, saying he took it from Epstein's house while he was employed there. Rodriguez accepted the \$50,000 and began counting the money.

After being detained and questioned, Rodriguez said he had witnessed nude girls whom he believed were underage in the pool area of Epstein's El Brillo Way home, that he knew Epstein was engaging in sexual contact with underage girls and had viewed pornographic images of underage girls on computers in Epstein's home, according to the affidavits.

Find this article at:

<http://www.palmbeachdailynews.com/news/content/news/2010/02/01/epstein020210.html>

☐ Check the box to include the list of links referenced in the article.

Jeffrey Epstein's community service canceled; clerical error cited

By MICHELE DARGAN
Daily News Staff Writer

Friday, November 06, 2009

Sex offender Jeffrey Epstein is off the hook for having to complete community service work.

According to a court order, a clerical error was made at the time of Epstein's plea conference, which made community service a requirement. Epstein was authorized to work at his not-for-profit Florida Science Foundation, the agreement stated.

The court order states that "mandatory public service," which was checked as a condition of his probation, was a mistake. The order deletes it as a requirement of his probation.

According to the Florida division of corporations, the Florida Science Foundation is inactive. Papers were filed Sept. 25 to administratively dissolve it.

This is the second clerical error made regarding Epstein's probation. An earlier court order deleted the need for any electronic monitoring. According to that order, the plea agreement and hearing reflected that Epstein was not to be electronically monitored.

Epstein, 56, served 13 months of his 18-month sentence at the Palm Beach County Stockade for procuring a minor for prostitution and soliciting prostitution. He is serving a one-year probation in his Palm Beach mansion.

The money manager is still fighting more than a dozen lawsuits — state and federal — from young women who say they were sexually abused by him when they were minors.

Find this article at:

<http://www.palmbeachdailynews.com/news/content/news/2009/11/06/briefepstein110709.html>

☐ Check the box to include the list of links referenced in the article.

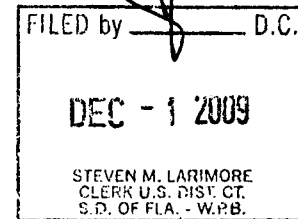
Court Filed/ Public Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 09-8308-LRJ

IN RE:

CRIMINAL COMPLAINT
_____ /



MOTION TO SEAL

COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, and hereby requests this Honorable Court to seal the attached Complaint and affidavit with the exception of a copy of the Warrant for Arrest to be provided to the U.S. Marshals Service and law enforcement agent whose name is noted on the Arrest Warrant, relative to the above captioned matter until such time as the defendant is arrested or until further order of the Court. The defendant is a target of an on-going investigation and early release of the complaint would compromise the investigation and lead those involved in the crime to elude law enforcement.

Respectfully submitted,

JEFFREY H. SLOMAN
ACTING UNITED STATES ATTORNEY

By:

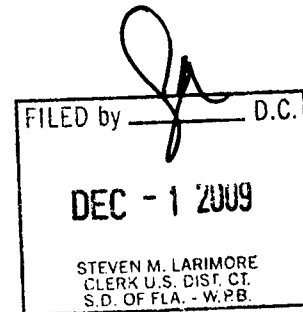
A. MARIE VILLAFANA
Assistant United States Attorney
Florida Bar No. 0018255
500 East Broward Boulevard, 7th Floor
Ft Lauderdale, FL 33394
Telephone: 954-660-5946
Facsimile: 954-356-7230
ann.marie.c.villafana@usdoj.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 09-8308-LRJ

IN RE:

CRIMINAL COMPLAINT
_____ /

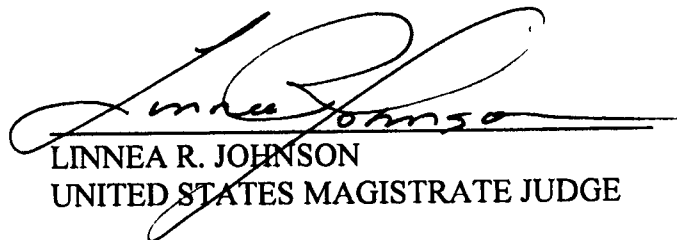


ORDER TO SEAL

This cause came before this Court on the Government's Motion to Seal. The Court being fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED that the Government's Motion is hereby granted, and the Clerk of the Court shall seal the Complaint, Affidavit, and Arrest Warrant (with the exception of providing a copy of the Arrest Warrant to be provided to the U.S. Marshals Service and law enforcement agent whose name is noted on the Arrest Warrant) until the defendant is arrested or until further order of the Court.

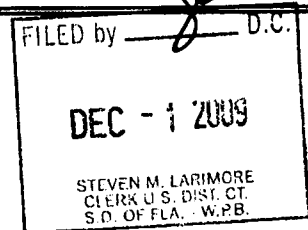
DONE AND ORDERED at West Palm Beach, Florida, this 1 day of December, 2009.


LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

cc: AUSA A. Marie Villafañá

United States District Court

SOUTHERN DISTRICT OF FLORIDA



UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

ALFREDO RODRIGUEZ,

CASE NUMBER: 09-8308-LRJ

Defendant.

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

From at least as early as January 18, 2007, through on or about November 3, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

ALFREDO RODRIGUEZ,

did corruptly conceal a record, document, or other object, with the intent to impair the object's availability for use in an official proceeding and otherwise corruptly obstructed or impeded an official proceeding, in violation of Title 18, United States Code, Section 1512(c).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

Please see attached Affidavit

Continued on the attached and made a part hereof.

[Signature]
Christina J. Pryor, Special Agent
Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence,
upon my finding of probable cause.

December 1, 2009 at West Palm Beach, Florida
Date City and State

LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

[Signature]
Signature of Judicial Officer

AFFIDAVIT

I, Christina J. Pryor, being duly sworn, do state and attest as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed for three (3) months. I am currently assigned to the Safe Streets Task Force, Miami Field Division, FBI Squad PB-2. Prior to joining the Miami Field Division, I attended the FBI Academy in Quantico, Virginia, for five (5) months where I received training in federal criminal laws and investigation techniques, including the laws related to obstruction of justice.

2. This affidavit is based upon my own personal knowledge of the facts and circumstances surrounding the investigation, and information provided to me by other law enforcement officers. This affidavit does not purport to contain all the information known to me about this case but addresses only that information necessary to support a finding of probable cause for the issuance of a criminal complaint charging Alfredo Rodriguez with obstruction of official proceedings, in violation of Title 18, United States Code, Section 1512(c).

3. On October 27, 2009, agents of the FBI met with and interviewed a cooperating witness ("CW"). The CW reported that, while conducting discovery in a pending civil case before the United States District Court for the Southern District of Florida, he came into contact with Alfredo Rodriguez ("Rodriguez"), who was a subpoenaed witness in the civil case.

4. Rodriguez had been interviewed by FBI agents on January 18, 2007, in connection with a federal criminal investigation into the sexual exploitation of minors. Prior

to being interviewed by FBI, Rodriguez had also been contacted and interviewed by local police detectives, and had been asked to produce documents related to the criminal investigation. The civil litigation involving the CW related to civil damages claims made by victims of the criminal activity that formed the basis of the state and federal criminal investigations.

5. The CW explained to agents that Rodriguez had been deposed under oath on two occasions. The first deposition occurred on July 27, 2009, and the second deposition was conducted on August 9, 2009. In connection with those depositions, Rodriguez was served with a subpoena duces tecum that called for the production of several types of documentary evidence. The CW was present for both depositions and Rodriguez testified that he had no documents responsive to the subpoena duces tecum.

6. In August 2009, after the conclusion of the second deposition, the CW received a phone call from Rodriguez. Rodriguez informed the CW that he had additional information that he had not previously disclosed to any law enforcement agency or any of the civil attorneys. Rodriguez described the information as, the Holy Grail or Golden Nugget and explained that he had compiled lists of additional victims in the case and their contact information. Rodriguez explained that the information contained hundreds of additional victims and their phone numbers from diverse geographic locations, including New York, New Mexico, and Paris, France.

7. Rodriguez asked the CW to pay him \$50,000.00 and, in return, Rodriguez would turn over the documents relating to the victims. In his initial and subsequent

communications with Rodriguez, the CW explained to Rodriguez that he was under subpoena to turn over such information and that it would be illegal for Rodriguez to demand money for turning over the information. Rodriguez persisted that he would only turn over the information in his possession in exchange for \$50,000.00.

8. On October 28, 2009, in a consensually-monitored phone call, the CW telephoned Rodriguez. Rodriguez again indicated that he would not turn over the information relating to the additional victims without monetary compensation. Rodriguez was told that an associate of the CW would be in touch with him regarding the information and exchange. The associate that the CW referred to was, in fact, an undercover employee (UCE) of the FBI.

9. On October 29, 2009, the FBI UCE contacted Rodriguez via telephone. Rodriguez again explained that he would only turn over the information in exchange for monetary compensation. The UCE advised Rodriguez that it would take several days to acquire the funds and that once the funds were obtained, he/she would contact Rodriguez. During the conversation, Rodriguez admitted that he knew that the information was relevant to the FBI's criminal investigation and was called for by the investigation. Rodriguez explained that he had not turned over the information to the FBI because: (1) it was his "property" and he should be compensated for it; and (2) he was afraid that the target of the investigation would make him "disappear" or otherwise harm him, and the information was his "insurance policy."

10. On November 2, 2009, the UCE made contact with Rodriguez via telephone.

In that conversation, Rodriguez and the UCE continued the discussion regarding the purchase of the documents and scheduled a meeting for the following day.

11. On November 3, 2009, Rodriguez met with the UCE at a predetermined location. During the meeting, Rodriguez produced a small bound book and several sheets of legal pad paper containing hand written notes. Rodriguez explained that he had taken the bound book from his former employer's residence while employed there in 2004 to 2005 and that the book had been created by persons working for his former employer. Rodriguez discussed in detail the information contained within the book, and identified important information to the UCE. In addition, Rodriguez admitted he had previously lied to FBI. Rodriguez asked the UCE about the \$50,000.00, took possession of the money, and began counting it.

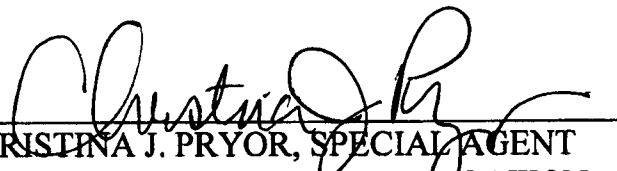
12. Rodriguez was then detained for Obstruction of Official Proceedings, Title 18, U.S. Code, Section 1512(c), and questioned. After *Miranda* warnings were administered by agents, Rodriguez waived his rights and signed a written waiver of those rights. Rodriguez admitted that he had the documents and book in his possession and had never turned them over to local law enforcement or the FBI. In addition, Rodriguez advised he had witnessed nude girls whom he believed were underage at the pool area of his former employer's home, knew that his former employer was engaging in sexual contact with underage girls, and had viewed pornographic images of underage girls on computers in his employer's home. Rodriguez was then released from custody for further investigation.

13. The items that Rodriguez had attempted to sell to the UC for \$50,000.00


were reviewed by an agent familiar with the underlying criminal investigation. As Rodriguez had described, the items contained information material to the underlying investigation that would have been extremely useful in investigating and prosecuting the case, including the names and contact information of material witnesses and additional victims. Had those items been produced in response to the inquiries of the state law enforcement officers or the FBI Special Agents, their contents would have been presented to the federal grand jury.

Based upon the foregoing, your affiant believes that probable cause exists to believe that, from at least as early as January 18, 2007 through on or about November 3, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, Alfredo Rodriguez did corruptly conceal a record, document, or other object, with the intent to impair the object's availability for use in an official proceeding and otherwise corruptly obstructed or impeded an official proceeding, in violation of Title 18, United States Code, Section 1512(c).

FURTHER YOUR AFFIANT SAYETH NAUGHT.


CHRISTINA J. PRYOR, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Sworn to and subscribed before me
this 1 day of December, 2009.


LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 09-8308-LRJ

UNITED STATES OF AMERICA

vs.

ALFREDO RODRIGUEZ,

Defendant.

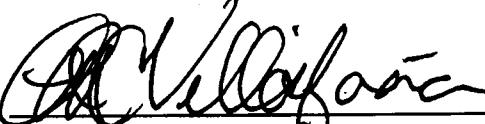
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 14, 2003? Yes X No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to September 1, 2007? Yes X No

Respectfully submitted,

JEFFREY H. SLOMAN
ACTING UNITED STATES ATTORNEY

By:



A. MARIE VILLAFANA
Assistant United States Attorney
Florida Bar No. 0018255
500 East Broward Boulevard, 7th Floor
Ft Lauderdale, FL 33394
Telephone: 954-660-5946
Facsimile: 954-356-7230
ann.marie.c.villafana@usdoj.gov

CRIMINAL COURT MINUTES

U.S. MAGISTRATE JUDGE LINNEA R. JOHNSON DATE: 12/09/2009 TIME: 10:00 AMDEFT: ALFREDO RODRIGUEZ (J)CASE NO: 09-8308-LRJAUSA: ANN MARIE VILLAFANA

ATTY: _____

AGENT: CHRISTINA PRYOR-FBIVIOL: 18:1512(c)PROCEEDING: INITIAL HEARINGRECOMMENDED BOND: \$25,000 PSB
RECOMMENDEDBOND/PTD HEARING HELD - yes / noLANGUAGE: ENGLISH

BOND SET @:

\$50,000 PSB

PRISONER# _____

☒ All Standard Conditions.☐ Surrender / or do not obtain passports / travel documents☒ Rpt to PTS as directed / or 1 x's a week/month by phone; 1 x's a week/month in person☐ Refrain from excessive use of alcohol☐ Participate in a mental health assessment and treatment☐ Random urine testing by Pretrial Services and/or treatments deemed necessary☒ Not to encumber property.☐ Maintain or seek full - time employment/education.☐ No contact with victims / witnesses.☐ No firearms.☐ May Not visit Transportation Establishments☐ Travel extended to: _____☒ Home Confinement/Electronic Monitoring Curfew MIDNIGHT TO 6AM
paid by _____☐ Other _____Disposition: Initial & Bond heldCase Unseized in open court
Deft present - advised of rights
Court questions deft - Deft is
NOT Indigent & must hire
counsel
Court sets bond in the amount
of \$50,000 PSB - Seized by Deft's
home

NEXT COURT APPEARANCE:

DATE:

TIME:

JUDGE:

PLACE:

REPORT RE COUNSEL:

12-30-099amHopkinsWVB

PTD/BOND HEARING:

PRELIM/ARRAIGN. OR REMOVAL:

12-30-099amHopkinsWVB

STATUS CONFERENCE

TAPE No.

LRJ 09-

64

Begin:

1945

TIME IN COURT:

15 mins

D.A.R.

10:08:09

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

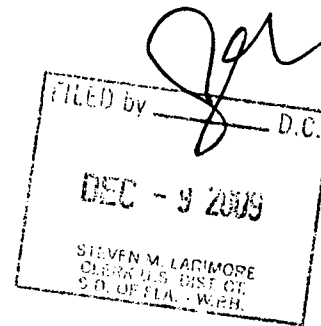
CASE NO. 09-8308-LRJ

UNITED STATES OF AMERICA

Plaintiff,

v.

ALFREDO RODRIGUEZ,
Defendant.



ORDER ON INITIAL APPEARANCE

AUSA ANN MARIE VILLAFANA
Agent FBI

Language ENGLISH
Tape No. LRJ 09-64-1945/DAR 10:08:09

The above-named defendant having arrested on DECEMBER 8, 2009 having appeared before the court for an initial appearance on DECEMBER 9, 2009 and proceedings having been held in accordance with **F.R.C.P. 5 or 40(a)**, it is thereupon

ORDERED as follows:

1. _____ appeared as permanent/temporary counsel of record.
Address: _____
Zip Code: _____ Telephone: _____
2. _____ appointed as permanent counsel of record.
Address: _____
Zip Code: _____ Telephone: _____
3. The defendant shall attempt to retain counsel and shall appear before the court at 9:00 A.M. on DECEMBER 30, 2009 before Duty Magistrate Judge.
4. Arraignment set for December 30, 2009 at 9:00 A.M. before Duty Magistrate Judge.
5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because N/A
A BOND hearing pursuant to 18 U.S.C. Section 3142(f), is set for 10:00 AM on HELD.
6. The defendant shall be release from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:

\$50,000 PSB

CONDITIONS ON BOND FORM

This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel document to the Pretrial Services Office.
- b. Report to Pretrial Services as follows: times a week by phone, time a week in person;
- other: _____

- ☐ c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.
- ☐ d. Maintain or actively seek full time gainful employment.
- ☐ e. Maintain or begin an educational program.
- ☐ f. Avoid all contact with victims of or witnesses to the crimes charged.
- ☐ g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- ☐ h. Comply with the following curfew: _____
- ☐ i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.
- ☐ j. Comply with the following additional special conditions of this bond:

This bond was set: At Arrest _____
On Warrant _____
After Hearing X

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is _____

☐ If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

- 7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
- 8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

DONE AND ORDERED at West Palm Beach, Florida, this 9th day of DECEMBER, 2009.



LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

c: Assistant U.S. Attorney
Defendant
Counsel
U.S. Marshal
U.S. Probation & Pretrial Service

(Rev. 7/09)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

APPEARANCE BOND: _____

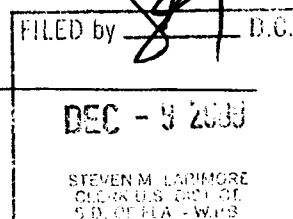
CASE NO.: 09-8308-LRJ

UNITED STATES OF AMERICA
Plaintiff,

v.

Alfredo Rodriguez
Defendant,

JAIL # _____



I, the undersigned defendant and I or we, the undersigned sureties, jointly and severally acknowledge that we and our personal representatives, jointly and severally, are bound to pay the United States of America, the sum of

\$ 30,000.00 100% COLLATERALIZED BY HOME

STANDARD CONDITIONS OF BOND

The conditions of this bond are that the defendant:

1. Shall appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of the defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment. This is a continuing bond, including any proceeding on appeal or review, which shall remain in full force and effect until such time as the court shall order otherwise.

2. May not at any time, for any reason whatever, leave the Southern District of Florida or other District to which the case may be removed or transferred after he or she has appeared in such District pursuant to the conditions of this bond, without first obtaining written permission from the court, except that a defendant ordered removed or transferred to another district may travel to that district as required for court appearances and trial preparation upon written notice to the Clerk of this court or the court to which the case has been removed or transferred. The Southern District of Florida consists of the following counties: **Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, and Highlands.**

3. May not change his or her present address as recorded on this bond without prior permission in writing from the court.

4. Is required to appear in court at all times as required by notice given by the court or its clerk to the address on this bond or in open court or to the address as changed by permission from the court. The defendant is required to ascertain from the Clerk of Court or defense counsel the time and place of all scheduled proceedings on the case. In no event may a defendant assume that his or her case has been dismissed unless the court has entered an order of dismissal.

5. The defendant must cooperate with law enforcement officers in the collection of a DNA sample if the collection is required by 42 U.S.C. Section 14135a.

6. Shall not commit any act in violation of state or federal laws.

DEFENDANT: Alfredo Rodriguez
CASE NUMBER: 09-8308-LRJ
PAGE TWO

SPECIAL CONDITIONS OF BOND

In addition to compliance with the previously stated conditions of bond, the defendant must comply with the special conditions checked below:

- ☐ a. Surrender all passports and travel documents, if any, to the Pretrial Services Office and not obtain any travel documents during the pendency of the case;
- ☒ b. Report to Pretrial Services as follows: () as directed or 1 time(s) a MONTH ~~week~~ in person and 1 time(s) a MONTH ~~week~~ by telephone;
- ☐ c. Submit to substance abuse testing and/or treatment;
- ☐ d. Refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner;
- ☐ e. Participate in mental health assessment and/or treatment;
- ☐ f. Participate and undergo a sex offense specific evaluation and treatment;
- ☐ g. Maintain or actively seek full-time employment;
- ☐ h. Maintain or begin an educational program;
- ☐ i. Avoid all contact with victims of or witnesses to the crimes charged, except through counsel;
- ☐ j. Refrain from possessing a firearm, destructive device or other dangerous weapons;
- ☒ k. None of the signatories may sell, pledge, mortgage, hypothecate, encumber, etc., any property they own, real or personal, until the bond is discharged, or otherwise modified by the Court;
- ☐ l. May not visit commercial transportation establishment: *airports, seaport/marinas, commercial bus terminals, train stations, etc.*;
- ☐ m. No access to the internet via any type of connectivity device (*i.e. computers, pda's, cellular phones, tv's*), and follow instructions as outlined in the agreement waiver provided to you by Pretrial Services;
- ☐ n. **HOME CONFINEMENT PROGRAM** The defendant shall participate in one of the following home confinement program components and abide by all the requirements of the program which () will not or () will include electronic monitoring or other location verification system, paid for by the defendant based upon his/her ability to pay () or paid for by Pretrial Services ().
- ☒ Curfew: You are restricted to your residence every day from MIDNIGHT to 6 AM, or as directed by the Court.
- ☐ Home Detention: You are restricted to your residence at all times except for: () medical needs or treatment, () court appearances, () attorney visits or court ordered obligations, and () other _____.
- ☐ o. **HALFWAY HOUSE PLACEMENT** The defendant shall reside at a halfway house or community corrections center and abide by all the rules and regulations of the program. You are restricted to the halfway house at all times except for: () employment; () education; () religious services; () medical, substance abuse, or mental health treatment; () attorney visits; () court appearances; () court ordered obligations; () reporting to Pretrial Services; and () other _____.
- ☐ p. May travel to and from: _____, and must notify Pretrial Services of travel plans before leaving and upon return.

- ☒ q. Comply with the following additional conditions of bond:
All Standard Conditions Apply

DEFENDANT: Alfredo Rosendo
CASE NUMBER: 09-8308-LRJ
PAGE THREE

PENALTIES AND SANCTIONS APPLICABLE TO DEFENDANT

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. § 3148, forfeiture of any bail posted, and a prosecution for contempt as provided in 18 U.S.C. § 401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

Title 18 U.S.C. § 1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. § 1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. § 1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. § 1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten to do so.

It is a criminal offense under 18 U.S.C. § 3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted, which means that the defendant will be obligated to pay the full amount of the bond, which may be enforced by all applicable laws of the United States.

DEFENDANT: Alfredo RodriguezCASE NO.: 09-8308-ALJ

PAGE FOUR

PENALTIES AND SANCTIONS APPLICABLE TO SURETIES

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

SIGNATURES

I have carefully read and I understand this entire appearance bond consisting of four pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

Signed this 9 day of December, 2009 at St. Petersburg, Florida
 Signed and acknowledged before me:
 WITNESS: _____
 _____ City _____ State

DEFENDANTDEFENDANT: (Signature) Alfredo Rodriguez

City

State

CORPORATE SURETY

Signed this _____ day of _____, 2009 at _____, Florida
 SURETY: _____
 _____ City _____ State
 PRINT NAME: _____

AGENT: (Signature) _____

INDIVIDUAL SURETIES

Signed this _____ day of _____, 2009 at _____, Florida
 SURETY: (Signature) _____
 PRINT NAME: _____
 RELATIONSHIP TO DEFENDANT _____
 _____ City _____ State

Signed this _____ day of _____, 2009 at _____, Florida
 SURETY: (Signature) _____
 PRINT NAME: _____
 RELATIONSHIP TO DEFENDANT _____
 _____ City _____ State

Signed this _____ day of _____, 2009 at _____, Florida
 SURETY: (Signature) _____
 PRINT NAME: _____
 RELATIONSHIP TO DEFENDANT _____
 _____ City _____ State

Signed this _____ day of _____, 2009 at _____, Florida
 SURETY: (Signature) _____
 PRINT NAME: _____
 RELATIONSHIP TO DEFENDANT _____
 _____ City _____ State

APPROVAL BY COURTDate: 12-9-09

Linnea R. Johnson
 LINNEA R. JOHNSON
 UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 09-8308-LRJ

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALFREDO RODRIGUEZ,

Defendant.

NOTICE OF ASSIGNMENT

The above captioned case has been assigned to the Assistant Federal Public Defender specified below.

Please send all notices and inquiries to this attorney at the address listed below.

KATHLEEN M. WILLIAMS
FEDERAL PUBLIC DEFENDER

By: s/Dave Lee Brannon
Dave Lee Brannon
Supervisory Assistant
Federal Public Defender
Attorney for Defendant
Florida Bar No. 297941
450 Australian Avenue, Suite 500
West Palm Beach, Florida 33401
Telephone: (561)833-6288
Facsimile: (561)833-0368
Email: Dave_Brannon@fd.org

CERTIFICATE OF SERVICE

I HEREBY certify that on **December 21, 2009**, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/Dave Lee Brannon

Dave Lee Brannon

SERVICE LIST
UNITED STATES OF AMERICA v. ALFREDO RODRIGUEZ
Case No. 09-8308-LRJ

Dave Lee Brannon
Assistant Federal Public Defender
dave_brannon@fd.org
450 Australian Avenue, Suite 500
West Palm Beach, Florida 33407
Phone: 561-833-6288
Fax: 561-833-0368
Attorney for Defendant

Ann Marie C. Villafana
Assistant United States Attorney
Ann.marie.c.villanfana@usdoj.gov
500 East Broward Blvd, Suite 700
Fort Lauderdale, Florida 333*94
Phone: 954-356-7255
Fax: 954-356-7336
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 09-8308-LRJ

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALFREDO RODRIGUEZ,

Defendant.

DEFENDANT'S INVOCATION OF RIGHT TO SILENCE AND COUNSEL

The defendant, Alfredo Rodriguez, through undersigned counsel, invokes the rights to remain silent and to counsel with respect to any and all interrogation, regardless of the subject matter. *See McNeil v. Wisconsin*, 111 S.Ct. 2204, 2212 (1992) (Stevens, J., dissenting).

KATHLEEN M. WILLIAMS
FEDERAL PUBLIC DEFENDER

By: s/Dave Lee Brannon
Dave Lee Brannon
Supervisory Assistant
Federal Public Defender
Attorney for Defendant
Florida Bar No. 297941
450 Australian Avenue, Suite 500
West Palm Beach, Florida 33401
Telephone: (561)833-6288
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s/Dave Lee Brannon

Dave Lee Brannon

SERVICE LIST
UNITED STATES OF AMERICA v. ALFREDO RODRIGUEZ
Case No. 09-8308-LRJ

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dave_brannon@fd.org
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Phone: 561-833-6288
Fax: 561-833-0368
Attorney for Defendant

Ann Marie C. Villafana
Assistant United States Attorney
Ann.marie.c.villanfana@usdoj.gov
500 East Broward Blvd, Suite 700
Fort Lauderdale, Florida 333*94
Phone: 954-356-7255
Fax: 954-356-7336
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 09-8308-LRJ

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALFREDO RODRIGUEZ,

Defendant.

NOTICE OF REQUEST FOR DISCLOSURE OF EXPERT WITNESS SUMMARIES

The defendant, Alfredo Rodriguez, through undersigned counsel, demands disclosure under Fed. R. Crim. P. 16(a)(1)(G) of expert testimony the government intends to introduce at trial during its case-in-chief. As to each potential expert witness, the government should disclose the name of the expert witness, the witness' qualifications, present employment, a summary of the witness' opinion, and the bases and reasons for the opinion.

KATHLEEN M. WILLIAMS
FEDERAL PUBLIC DEFENDER

By: s/Dave Lee Brannon
Dave Lee Brannon
Supervisory Assistant
Federal Public Defender
Attorney for Defendant
Florida Bar No. 297941
450 Australian Avenue, Suite 500
West Palm Beach, Florida 33401
Telephone: (561)833-6288; Facsimile: (561)833-0368
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s/Dave Lee Brannon

Dave Lee Brannon

SERVICE LIST
UNITED STATES OF AMERICA v. ALFREDO RODRIGUEZ
Case No. 09-8308-LRJ

Dave Lee Brannon
Assistant Federal Public Defender
dave_brannon@fd.org
450 Australian Avenue, Suite 500
West Palm Beach, Florida 33407
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Fort Lauderdale, Florida 333*94
Phone: 954-356-7255
Fax: 954-356-7336
Attorney for Plaintiff

COURT MINUTES**U.S. MAGISTRATE JUDGE ANN E. VITUNAC** DATE: 12/21/09 TIME: 10:00 AMDEFT: ALFREDO RODRIGUEZ (B)AUSA: ANN MARIE VILLAFANA ✓

AGENT: _____

PROCEEDING: REPORT RE: COUNSELCASE NO: 09-8308-LRJATTY: FPD-ROBIN ROSEN-EVANSVIOL: 18:1512(c)

RECOMMENDED BOND: _____

FILED by 2 DA

DEC 21 2009

BOND/PTD HEARING HELD - yes / no

BOND SET @ \$50,000 PSB (LRJ)LANGUAGE: ENGLISH

INTERPRETER: _____

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - WPB.

- ☐ All Standard Conditions.
- ☐ Surrender / or do not obtain passports / travel documents
- ☐ Rpt to PTS as directed / or _____ x's a week/month by phone; _____ x's a week/month in person
- ☐ Refrain from excessive use of alcohol
- ☐ Participate in a mental health assessment and treatment
- ☐ Random urine testing by Pretrial Services and/or treatment as deemed necessary
- ☐ Not to encumber property.
- ☐ Maintain or seek full - time employment/education.
- ☐ No contact with victims / witnesses.
- ☐ No firearms.
- ☐ May Not visit Transportation Establishments.
- ☐ Travel extended to: _____
- ☐ Home Confinement/Electronic Monitoring/Curfew _____ paid by _____
- ☐ Other _____

Disposition: DEFENDANT PRESENT,SWORN

DEFT QUESTIONED RE:

APPOINTMENT OF COUNSEL

THE COURT FINDS THE DEFT

PARTIALLY INDIGENT - DEFT

TO PAY \$5,000 AS REPAYMENT

PTS TO DETERMINE PAYMENT

SCHEDULE

FPD APPOINTED

DEFENDANT WAIVES 10 DAYS

FOR ARRAIGNMENT AND SPEEDY

TRIAL - ARRAIGNMENT RESET

NEXT COURT APPEARANCE:

DATE:

TIME:

JUDGE:

PLACE:

REPORT RE COUNSEL: _____

PTD/BOND HEARING: _____

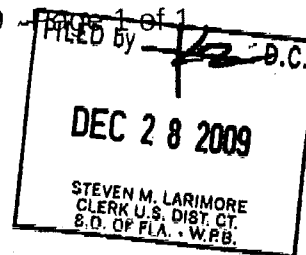
PRELIM/ARRAIGN. OR REMOVAL: 2/1/2010 10AM AEV WPB

STATUS CONFERENCE: _____

DAR: 10:17:33

TIME IN COURT:

10:17-10:23AM CRD: K. ZUNIGATAPE # AEV-09-100-(790-998) (6 mins)



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

REPORT COMMENCING CRIMINAL ACTION

UNITED STATES OF AMERICA

CASE # 09-8308-LRJ

VS

Alfredo Rodriguez

PRISONER # 73608 004

TO: CLERK'S OFFICE, UNITED STATES DISTRICT COURT: (CIRCLE ONE)

MIAMI FT. LAUDERDALE WEST PALM BEACH FT. PIERCE

ALL ITEMS ARE TO BE COMPLETED - INFORMATION NOT APPLICABLE OR
UNKNOWN TO BE INDICATED BY "N/A":

1) DATE AND TIME OF ARREST: 12/8/09 11:30 AM

2) LANGUAGE(S) SPOKEN: English, Spanish

3) OFFENSE (S) CHARGED: Obstruction of Justice

4) U.S. CITIZEN ☒ YES ☐ NO ☐ UNKNOWN

5) DATE OF BIRTH: /54

6) TYPE OF CHARGING DOCUMENT: (CHECK ONE)

☐ INDICTMENT

☒ COMPLAINT TO BE FILED/ALREADY FILED

☐ BENCH WARRANT FOR FAILURE TO APPEAR

☐ PROBATION VIOLATION WARRANT

☐ PAROLE VIOLATION WARRANT

ORIGINATING DISTRICT: Southern Florida

COPY OF WARRANT LEFT WITH BOOKING OFFICER ☐ YES ☐ NO

7) AMOUNT OF BOND: _____ WHO SET BOND: _____

8) ARRESTING/PROCESSING AGENT: Christina Pryor DATE: 12/8/09

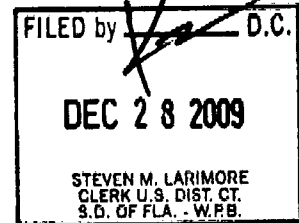
9) AGENCY: FBI PHONE: (508) 833-5717

UNITED STATES DISTRICT COURT

for the
Southern District of FloridaUnited States of America
v.ALFREDO RODRIGUEZ,

Defendant.

Case No. 09-8308-LRJ



ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) ALFREDO RODRIGUEZ

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☒ Complaint
☐ Probation Violation Petition
☐ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

Obstruction of justice, in violation of Title 18, United States Code, Section 1512(c).

Date: 12/01/2009City and state: West Palm Beach, Florida

Issuing officer's signature

U.S. Magistrate Judge Linnea R. Johnson

Printed name and title

Return

This warrant was received on (date) 12/01/2009, and the person was arrested on (date) 12/08/2009
 at (city and state) WEST PALM BEACH, FL

Date: 12/10/2009

NEIL K. DESOUSA, ACTING U S MARSHAL S/D FL

for the officer's signature

BY: WAYNE PICKERING, SDUSM

Printed name and title

1818889

1001-1210-4911-5

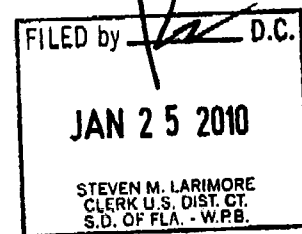
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 09-8308-LRJ

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ALFREDO RODRIGUEZ,
Defendant.



**ORDER ON PARTIAL INDIGENCY FOR APPOINTMENT OF COUNSEL
AND DISTRIBUTION OF AVAILABLE FUNDS**

THIS CAUSE having come before the Court on the request of the Defendant for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. Section 3006 A and the Court having appointed the Federal Public Defender's Office and the Court having found after hearing on December 21, 2009, that private funds are available for payment by the Defendant for partial reimbursement for the cost of such services, it is hereby,

ORDERED AND ADJUDGED that the above named Defendant shall pay the total sum of **\$5,000.00**. The payment shall be sent, along with a copy of this order, to the Clerk of the Court, for deposit in the Treasury as reimbursement to the appropriation current at the time of payment, pursuant to 18 U.S.C. Section 3006A(f). Unless such payment is made on or before the above stated date, the Court may terminate the appointment of counsel as the interest of justice may dictate, pursuant to 18 U.S.C. Section 3006A(c).

It is further ORDERED that Pretrial Services shall determine a payment schedule for defendant's reimbursement.

DONE AND ORDERED at West Palm Beach, Florida this 25 day of January 2010.


ANN E. VITUNAC
UNITED STATES MAGISTRATE JUDGE

cc: Defendant
Dave Lee Brannon, AFD
U.S. Attorney
Pretrial Services
Financial Section-Miami

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

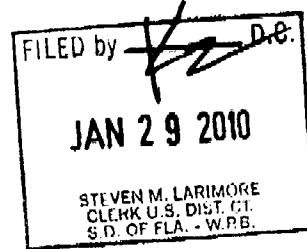
Case No. 10-80015-CR-MARRA/HOPKINS
18 U.S.C. § 1512(c)

UNITED STATES OF AMERICA

v.

ALFREDO RODRIGUEZ,

Defendant.



INFORMATION

The United States Attorney charges that:

From at least as early as January 18, 2007, through on or about November 3, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

ALFREDO RODRIGUEZ,

did corruptly conceal a record, document, or other object, with the intent to impair the object's availability for use in an official proceeding, that is proceedings before a federal grand jury, and otherwise corruptly obstructed and impeded said official proceeding; in violation of Title 18, United States Code, Section 1512(c).


JEFFREY H. SLOMAN
UNITED STATES ATTORNEY


A. MARIE VILLAFANE
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. 10-80015-CR-MARRA/HOPKIN

vs.

CERTIFICATE OF TRIAL ATTORNEY*ALFREDO RODRIGUEZ,
Defendant. /**Superseding Case Information:****Court Division:** (Select One)
 New Defendant(s) Yes ☐ No ☐
 Number of New Defendants
 Total number of counts
☐ Miami ☐ Key West
☐ FTL ☒ WPB ☐ FTP

I do hereby certify that:

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

 3. Interpreter: (Yes or No) No
 List language and/or dialect
4. This case will take 4 days for the parties to try.
 5. Please check appropriate category and type of offense listed below:
 (Check only one) (Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	<input type="checkbox"/>
II	6 to 10 days	<input type="checkbox"/>	Minor	<input type="checkbox"/>
III	11 to 20 days	<input type="checkbox"/>	Misdem.	<input type="checkbox"/>
IV	21 to 60 days	<input type="checkbox"/>	Felony	<input checked="" type="checkbox"/>
V	61 days and over	<input type="checkbox"/>		

6. Has this case been previously filed in this District Court? (Yes or No) No
 If yes: Judge: Case No.
 (Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) Yes
 If yes: Magistrate Case No. 09-8308-LRJ
 Related Miscellaneous numbers:
 Defendant(s) in federal custody as of
 Defendant(s) in state custody as of
 Rule 20 from the District of
Is this a potential death penalty case? (Yes or No) No7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? ☐ Yes ☒ No8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? ☐ Yes ☒ No


 ANN MARIE VILLAFANÁ
 ASSISTANT UNITED STATES ATTORNEY
 Florida Bar No. 18255

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET**

Defendant's Name: ALFREDO RODRIGUEZ

Case No.: 10 - 80015 - CR - MARZA / HOPKINS

Count 1:

18 U.S.C. § 1512(c)

Obstruction of Justice

***Max. Penalty:** 20 years Imprisonment; 3 years Supervised Release; \$250,000 Fine

Count :

***Max. Penalty:** _____

Count :

***Max. Penalty:** _____

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms or forfeitures that may be applicable.**

REV. 12/12/96

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

United States of America

v.

Alfredo Rodriguez

Defendant

Case No.

10-80015-CR-MARRA/
HOPKINS

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

DAVE LEE BRANNON, AFPD
Printed name of defendant's attorney

Judge's signature

Judge's printed name and title

AJ 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT

for the
Southern District of Florida ☒

United States of America

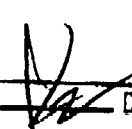
v.
Alfredo Rodriguez

Defendant

)
)
)
)
)

Case No.

10-80015-CR-
MARRA/
HOPKINS

FILED by 	D.C.
FEB 01 2010	
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. - W.F.B.	

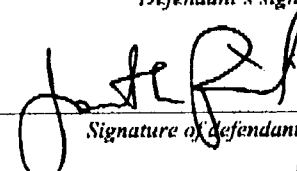
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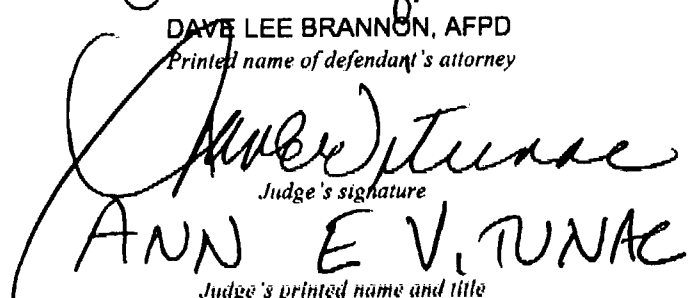
After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: 2/01/10


Defendant's signature


Signature of defendant's attorney

DAVE LEE BRANNON, ACPD
Printed name of defendant's attorney


Judge's signature
ANN E. V. TUNAC
Judge's printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-80015-CR-MARRA

UNITED STATES OF AMERICA,)
)
 GOVERNMENT,)
)
 -v-)
)
 ALFREDO RODRIGUEZ,)
)
 DEFENDANT.) West Palm Beach, Florida
) June 18, 2010
)
 _____)

TRANSCRIPT OF SENTENCING PROCEEDINGS
BEFORE THE HONORABLE KENNETH A. MARRA
UNITED STATES DISTRICT JUDGE

Appearances:

FOR THE GOVERNMENT Ann Marie C. Villafana, AUSA
500 East Broward Boulevard,
7th Floor,
Fort Lauderdale, FL 33394

FOR THE DEFENDANT Dave Lee Brannon, AFPD
450 Australian Avenue,
Suite 500,
West Palm Beach, FL 33401

Reporter Stephen W. Franklin, RMR, CRR, CPE
(561)514-3768 Official Court Reporter
701 Clematis Street, Suite 417
West Palm Beach, Florida 33401

1 (Call to the order of the Court.)

2 THE COURT: Good morning, please be seated.

3 We're here in the case of the United States of
4 America versus Alfredo Rodriguez, Case
5 Number 10-80015-CR-MARRA.

6 May I have counsel state their appearances, please.

7 MS. VILLAFANA: Good morning, Your Honor. Marie
8 Villafana, for the United States. With me is special agent
9 Christina Prior (phonetic), from the FBI.

10 THE COURT: Good morning.

11 MR. BRANNON: Good morning, Judge. Dave Lee Brannon,
12 Assistant Federal Public Defender, on behalf of Alfredo
13 Rodriguez, who's present in court. We also have some members
14 of his family present in court that I'll mention later.

15 THE COURT: All right. Good morning.

16 We are here for sentencing. Have both sides reviewed
17 the presentence investigation report?

18 MS. VILLAFANA: Yes, Your Honor.

19 MR. BRANNON: Yes, sir.

20 THE COURT: Has the Defendant reviewed it with
21 counsel?

22 MR. BRANNON: Yes, sir.

23 THE COURT: Okay. And all the objections were
24 resolved; is that correct?

25 MR. BRANNON: Yes, sir.

1 THE COURT: So I will adopt the findings of the
2 presentence report as the findings of the Court.

3 Ms. Villafana, what's the Government's position
4 regarding sentencing?

5 MS. VILLAFANA: Your Honor, we would ask that the
6 Court impose a sentence at the low end of the advisory
7 guideline range. I think in accordance with the 3553(a)
8 factors that is an appropriate sentence.

9 In particular, the Court is required to consider the
10 type of the offense, the facts and circumstances of the
11 offense. In this case, the Defendant obstructed a very
12 significant investigation into the exploitation of young women
13 here in Palm Beach County, and he knew about the significance
14 of the evidence that he had, and he made a decision that
15 although he knew he was required to turn it over, he wanted to
16 get money for that document rather than turn it over to law
17 enforcement or to turn it over in response to civil subpoenas.

18 The Court is required to consider how to promote
19 respect for the law and how to deter others. Since you are
20 involved in the civil litigation, I know that you are well
21 aware of the facts of the case, and obstruction was a
22 significant consideration in this case. There was great
23 difficulty getting witnesses to assist and come forward in the
24 case and respond to requests of law enforcement for evidence.

25 In this case, we do believe that 24 months is an

1 appropriate sentence. The Defendant, after entering his
2 guilty plea in this case, went on to commit additional crimes
3 which are the subject of a separate indictment and which will
4 be the subject of a separate sentencing, but I do believe that
5 the Court should consider them in determining what sentence is
6 appropriate for this defendant.

7 THE COURT: What is the status of the other case?

8 MS. VILLAFANA: My understanding from talking to the
9 AUSA down there is that the Defendant does intend to enter a
10 guilty plea within the next couple weeks in that case.

11 THE COURT: Thank you.

12 Mr. Brannon?

13 MR. BRANNON: Thank you, Judge.

14 First, I would note to the Court that I provided some
15 submissions for sentencing yesterday, a number of family
16 letters.

17 THE COURT: I read them.

18 MR. BRANNON: Thank you, sir.

19 We have present in court today showing their love and
20 support for Mr. Rodriguez his wife, Patricia Dunn, who has a
21 letter she's going to read to the Court in just a minute, his
22 daughter, Christina Rodriguez, who provided a letter already
23 to the Court and will not be speaking, and his stepson,
24 Christopher Dunn, who didn't provide a letter but will very
25 briefly address the Court.

1 With the Court's permission, I'll have them go ahead
2 and come on up and speak to the Court, and then I'll go into
3 my allocution.

4 THE COURT: All right. Certainly.

5 MR. BRANNON: Okay. Mr. Dunn, would you come
6 forward.

7 THE WITNESS: Good morning.

8 THE COURT: Your name, please?

9 THE WITNESS: Christopher Dunn.

10 I just wanted to say a few words about my stepfather.
11 I've actually been here before when I was studying law back in
12 high school, but I never thought I'd be here in these
13 circumstances. It's just -- it's -- I don't know how to say
14 this. It's not in character for my stepfather. This was the
15 man that, more than after maybe myself, was the biggest moral
16 anchor in my life. He would always say things like, you need
17 to do the right thing no matter what. There was no
18 explanation, it was just to be done, and that things had to be
19 done by the book. That, you know, you had to put other people
20 first and worry about other people.

21 And this isn't -- this isn't -- this scene isn't
22 where he belongs. He's -- I don't know if you can call
23 anybody perfect, but he -- I can call him a good man. And he
24 may be desperate at times, even ignorant of things at times
25 and not always right, but he's good at heart.

1 You know, I don't know if this helps or hurts, but a
2 few months ago, actually months ago, I was -- I actually --
3 I've been reading more. I've -- I pray for my family, and I
4 pray for a lot of things, and I'm thankful for a lot, but I
5 don't know if I should regret this, but I prayed a long time
6 ago before, before any of this, that as good as Alfredo was, I
7 wanted to make him a better man, as good as one can be, and I
8 actually prayed that something would come about to where he
9 could see the light and become closer with God.

10 And I knew what -- I mean, I'm not a fool. I know a
11 lot of people don't change until they're traumatized, you
12 know, for the better, and I knew what I was praying for was a
13 trauma. I even thought it to myself. I didn't know. I guess
14 mysterious ways indeed. I didn't know what I was praying for
15 specifically, but I knew he needed something to jolt him to
16 become even better than he already was. And as also this has
17 been passing and all these things have been happening, the
18 silver lining is really that I've seen him become more of a
19 Bible man, you know. He listens to the Word more. He's been
20 quoting me. He's been quoting to me the words, and I've seen
21 a good man transform into an even better man.

22 Thank you.

23 THE COURT: Thank you.

24 MR. BRANNON: And Ms. Dunn, I believe you have a
25 letter you want to read to the Judge?

1 THE WITNESS: Yes.

2 THE COURT: Good morning.

3 Your name, please?

4 THE WITNESS: Good morning.

5 THE COURT: Your name?

6 THE WITNESS: Patricia Dunn.

7 THE COURT: Patricia?

8 THE WITNESS: Yes, Dunn, D-u-n-n.

9 THE COURT: Can you spell your first name?

10 THE WITNESS: Patricia, P-a-t-r-i-c-i-a.

11 THE COURT: Thank you.

12 THE WITNESS: Your Honor, it was difficult for me to
13 write something on behalf of Alfredo Rodriguez because he's
14 the least person that I could think would ever need your
15 mercy. Alfredo has always been respectful, determined,
16 honest, caring, helpful, a great father, a great husband and a
17 great friend. I have shared my life with Alfredo for the past
18 17 years. After my first husband pass away, he helped me
19 raise my two children as well as his three children. He gave
20 all of them nothing but love, commitment and great example.
21 Alfredo has been taught all his life to be good, to be a good
22 citizen and excel at whatever he did. He proudly taught this
23 to all our children.

24 Alfredo has the honor to say that his grandfather was
25 the only Bolivian lawyer to be seated at the House of Lords in

1 England where he was serving as an ambassador to Bolivia. His
2 grandfather was a great example for Alfredo and our siblings.

3 Alfredo attended the Bolivian air force academy and
4 later attended the United States Air Force. He has --

5 THE COURT: Ms. Dunn, can you slow down, please?
6 Because the court reporter is having trouble.

7 THE WITNESS: I'm sorry.

8 THE COURT: That's all right. Just relax and speak a
9 little more slowly.

10 THE WITNESS: You want me to repeat the last
11 sentence?

12 THE COURT: Yes, please.

13 THE WITNESS: Alfredo attended the Bolivian air force
14 academy, and later he attended the United States Air Force.
15 He has lived in this country for more than 30 years. And even
16 though sometimes times were difficult, he always kept his
17 straight path without breaking the law.

18 What he's going through right now, it is out of
19 character for him. He always told all of our children to do
20 good, not to turn away from their goals, to go to school and
21 to help others. He wanted to inject the good in our
22 children's DNA.

23 We as a family need Alfredo. He's our pillar.
24 Please do not let the moment of weakness or need or mostly
25 ignorance to ruin his life and most of our lives. Please,

1 sir, give him the opportunity to be free and to be with us.

2 We need him.

3 Thank you.

4 THE COURT: Thank you.

5 MR. BRANNON: Your Honor, this is not our normal
6 case. I don't really feel I can comment too much about the
7 Miami matter since that is pending, even though I
8 understand -- my understanding of the resolution is the same
9 as the Government's.

10 Mr. Rodriguez had made a good living as a house man
11 to the wealthy, and that's reflected in several paragraphs in
12 the PSI. I think one of the things that a lot of people don't
13 understand is that his having any connection at all to
14 Mr. Epstein, once that particular story became well-known,
15 entirely finished that line of work for him. Frankly, none of
16 the wealthy wanted to be associated with anybody that had
17 anything to do with what happened at Mr. Epstein's house. So
18 even though Alfredo did good work and a lot of people had
19 thought a lot of him and he had worked for a lot of other
20 people in the past, once that fact became known and once they
21 could do a background check or a Google search on
22 Mr. Rodriguez and see his name tied to Mr. Epstein, they were
23 not interested. They didn't want to have him working with
24 them. So he hit some real economic hard times.

25 One thing I don't think any of us are real clear

1 at -- and you know that the central point in this obstruction
2 charge is the book that has been mentioned. I don't know at
3 what point Mr. Rodriguez became aware that he actually had the
4 book. One of the things that Mr. Rodriguez did was he lived
5 at Mr. Epstein's estate. And when he left Mr. Epstein's
6 employment, a lot of stuff got packed up and put away. One of
7 those things was a copy of the book, of which there were many
8 copies, and Mr. Rodriguez had one as Mr. Epstein's house man.

9 There came a point at which he was aware that he had
10 the book. I can imagine if I was packing up my office, I'm
11 not sure how long I would know that I had everything that I
12 had in the boxes until I started going through them and see
13 them.

14 He did cooperate in the early stages of the
15 investigation. He's mentioned in news reports where he had
16 given information and papers over to the Palm Beach Police
17 Department when they investigated.

18 He has been a good family man. That's been reflected
19 in the letters. We are cooperating with the Government now
20 and will continue to cooperate with the Government.

21 I think one of the things that we do have to consider
22 in deciding what is an appropriate sentence in this case is
23 what happened to Mr. Epstein. It is difficult for me to
24 justify Mr. Rodriguez getting a sentence greater than
25 Mr. Epstein received, and Mr. Epstein received a sentence of

1 18 months in the stockade on some very serious charges. I can
2 introduce a copy of the nonprosecution agreement into the
3 record if the Court wishes me to.

4 THE COURT: I'm familiar with it.

5 MR. BRANNON: Okay. I don't want to necessarily put
6 that in the record unless we need to have it in the record.

7 So I would ask the Court to consider that as an
8 appropriate sentence in this case. I know that's a sentence
9 below the guideline range, but I think when we look at how
10 society views results, I think there's just something that
11 doesn't look quite right for Mr. Epstein's house man to get a
12 greater sentence for what he's done than Mr. Epstein did for
13 what he's done, which is substantially worse.

14 So I would ask the Court to sentence Mr. Rodriguez to
15 a sentence of 18 months.

16 THE COURT: All right. Thank you.

17 Does Mr. Rodriguez wish to say anything?

18 THE DEFENDANT: Your Honor, I'm not going to make
19 this long, but like my wife and my kids, I always told them to
20 do the right thing, and I sent them to college to push to
21 higher education. But I'm really sorry for what I did, and I
22 just pray that the Court to be merciful to me, sir.

23 THE COURT: Thank you.

24 THE DEFENDANT: Thank you, sir.

25 THE COURT: Ms. Villafana, what do you have to say

1 about the somewhat logical argument that maybe Mr. Rodriguez
2 shouldn't get worse than Mr. Epstein did in his plea agreement
3 with the State?

4 MS. VILLAFANA: I certainly understand the logic. I
5 know that if he had gotten the two-level reduction for
6 acceptance, he would have been at that same sentence of 18
7 months at the low end. He didn't get the two-level reduction
8 for acceptance because the day of his change of plea, he went
9 and drove down to Miami and conducted a purchase of various
10 firearms with an undercover officer, which is why the two
11 levels were added. So that's certainly a difference.

12 Another difference is that while I can't -- I
13 obviously don't have a crystal ball, and I can't say what
14 would have happened if this evidence had come to light during
15 the pendency of the grand jury investigation, what I can say
16 is that there were significant issues related to federal
17 prosecution of the Epstein case in terms of the interstate
18 nexus between the crimes that were under investigation. Some
19 of the information contained in the book that Mr. Rodriguez
20 had, as well as other information that he was able to provide
21 once he was cooperating post-arrest, would have answered the
22 questions that were raised regarding that interstate nexus.
23 So would that have meant that there definitely would have been
24 a federal prosecution? I can't say for certain. Would that
25 significantly have advanced the ball? Yes.

1 THE COURT: Mr. Brannon mentioned that there were
2 other copies of this book. I thought he said there were many
3 copies of this book. Is that true as far as you're concerned?
4 And how and when did these other copies come to light?

5 MS. VILLAFANA: No other copies have come to the
6 light of any federal investigator, but our understanding from
7 interviewing Mr. Rodriguez was that multiple copies of that
8 book were made and were kept at Mr. Epstein's homes throughout
9 the world, but none of them were ever either found during the
10 search of Mr. Epstein's home in Palm Beach, and obviously no
11 other search warrants were ever executed on his islands or any
12 of his other residences. So this is the only copy that's
13 known to law enforcement.

14 THE COURT: Oh, but he contends that there were other
15 copies?

16 MS. VILLAFANA: Yes. And I think from seeing the
17 book, I think that that's true.

18 THE COURT: Okay. So he lost his two points for
19 acceptance because of the gun charge?

20 MS. VILLAFANA: Yes.

21 MR. BRANNON: Actually, Judge, I think it was three
22 points for acceptance, because we're at an offense level 17.
23 It would be 16 or greater. He would have gotten a three-level
24 reduction for acceptance. His guidelines with acceptance
25 would have been 15 to 21 months.

1 MS. VILLAFANA: Okay. Right. So -- but he's at a 17
2 now, which is 24 to 30, and he would have been at a 14, which
3 would have been, right, 15 to 21.

4 THE COURT: All right. So he would have gotten 15?
5 You would have been recommending 15 if he hadn't been involved
6 in the gun charge?

7 MS. VILLAFANA: That's correct.

8 THE COURT: And he's obviously going to get punished
9 for the gun charge separate and apart from what happens here
10 if he pleads guilty and is convicted one way or the other.

11 MS. VILLAFANA: Correct.

12 THE COURT: All right. Anything else?

13 MR. BRANNON: No, sir.

14 THE COURT: All right. The Court has considered the
15 statements of all the parties, the presentence report, which
16 contains the advisory guidelines, as well as the statutory
17 factors set forth in 18 U.S.C., Section 3553(a)(1) through
18 (7).

19 It is the finding of the Court the Defendant is not
20 able to pay a fine.

21 Now, in imposing sentence, the Court has to consider
22 the statutory factors of 3553, which require the Court to
23 consider the nature and circumstances of the offense, which in
24 this case are significant because of the impact it had on the
25 investigation of Mr. Epstein. And much has been said and

1 written about the sentence that Mr. Epstein received for the
2 crimes to which he's pled guilty, and if this book had been
3 produced when requested things may have been different. So in
4 one sense when we compare the sentence that's going to be
5 imposed in this case to what Mr. Epstein got, if this book had
6 been produced, Mr. Epstein's sentence might have been
7 significantly different. But he got what he got, and I think
8 that's a factor to be considered in this case.

9 The history and characteristics of this defendant up
10 until this incident and this gun incident, he's had an
11 exemplary life. And I don't know what has brought about this
12 change in his behavior, but two incidents so close together is
13 somewhat troubling.

14 The Court has to consider the need for the sentence
15 imposed to reflect the seriousness of the offense, to promote
16 respect for the law and to provide just punishment.

17 The Court has to consider the need to protect the
18 public from further crimes of the Defendant, which I really
19 don't think is too much of a concern. I don't think
20 Mr. Rodriguez is going to be in any more trouble after he
21 finishes his sentence for this case and whatever sentence, if
22 any, may be imposed for the gun case.

23 Also, the Court has to consider the need to afford
24 adequate deterrence to criminal conduct by others and has to
25 consider the need to avoid unwarranted sentencing disparities

1 among defendants with similar records who have been found
2 guilty of similar conduct.

3 So if you look at this particular incident, his
4 guidelines would be 15 to, what is it, 18 months, or 21?

5 MR. BRANNON: Fifteen to 21, Judge.

6 THE COURT: Fifteen to 21 months if he hadn't been
7 involved in the gun charge. He's going to get, if he's going
8 to plead guilty, which I'm told he probably will -- and
9 whether he pleads guilty or not, from what I understand of the
10 case, it's likely he's going to get convicted one way or the
11 other anyway. So he's going to get punished for that gun
12 charge separate and apart from what happens here, so I don't
13 know that it makes sense to have to increase his punishment
14 here because of a gun charge that he's going to get punished
15 for independently.

16 And there is some logic to the argument that
17 Mr. Rodriguez here shouldn't be punished more severely than
18 Mr. Epstein, who did significantly more egregious things than
19 Mr. Rodriguez did. Although, as I said, if this information
20 had come to light sooner, maybe Mr. Epstein situation would
21 have turned out differently.

22 But taking into consideration the fact that he is
23 going to be punished for his gun charge separately, and that
24 would have affected his guideline, and Mr. Epstein's sentence
25 was less than his guidelines here, I think a sentence below

1 the advisory guideline range would be sufficient but not
2 greater than necessary to comply with the factors under 3553.
3 So I am going to impose a sentence below the advisory
4 guideline range.

5 Pursuant to the Sentencing Reform Act of 1984, it is
6 the judgment of the Court that the Defendant, Alfredo
7 Rodriguez, is hereby committed to the custody of the Bureau of
8 Prisons to be imprisoned for a term of 18 months. Upon
9 release from imprisonment, the Defendant shall be placed on
10 supervised release for a term of two years.

11 Within 72 hours of his release, the Defendant shall
12 report in person to the probation office in the district where
13 he's released.

14 While on supervised release, the Defendant shall not
15 commit any crimes, he shall be prohibited from possessing a
16 firearm or other dangerous devices, and he shall not possess a
17 controlled substance.

18 He shall cooperate in the collection of DNA and shall
19 comply with the standard conditions of supervised release that
20 have been adopted by this court, as well as the following
21 special conditions: Financial disclosure requirement and
22 permissible search, as noted in Part G of the presentence
23 report.

24 The Defendant shall also immediately pay to the
25 United States a special assessment of \$100.

1 Total sentence is 18 months' imprisonment, two years'
2 supervised release and a \$100 special assessment.

3 Now that sentence has been imposed, does the
4 Defendant or his counsel object to the Court's findings of
5 fact or the manner in which sentence was pronounced?

6 MR. BRANNON: No, sir. We do have one request of the
7 Court.

8 THE COURT: Yes.

9 MR. BRANNON: We would ask the Court to recommend the
10 Miami area as the place of incarceration.

11 THE COURT: I'll make that recommendation.

12 Any objection from the Government?

13 MS. VILLAFANA: No, Your Honor.

14 THE COURT: Mr. Rodriguez, you have the right to
15 appeal the sentence that's been imposed. If you wish to file
16 an appeal, you must file your notice of appeal within 14 days
17 from the date judgment's entered in this case. And if you are
18 unable to pay for the cost of the appeal, you may seek leave
19 to file the appeal in forma pauperis.

20 Good luck to you, sir. Thank you.

21 (Proceedings concluded.)
22
23
24
25

* * * * *

CERTIFICATE

I, Stephen W. Franklin, Registered Merit Reporter, and
Certified Realtime Reporter, certify that the foregoing is a
correct transcript from the record of proceedings in the
above-entitled matter.

Dated this 22nd day of JUNE, 2010.

/s/Stephen W. Franklin

Stephen W. Franklin, RMR, CRR

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 10-80015-Cr-Marra/Hopkins

UNITED STATES OF AMERICA

vs.

ALFREDO RODRIGUEZ,

Defendant.

PLEA AGREEMENT

The United States of America and Alfredo Rodriguez (hereinafter referred to as the "defendant") enter into the following agreement:

1. The Charge to Which the Defendant Is Pleading Guilty: The defendant agrees to plead guilty to the sole count of the Information, which charges that, from at least as early as January 18, 2007, through on or about November 3, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant did corruptly conceal a record, document, or other object, with the intent to impair the object's availability for use in an official proceeding, that is proceedings before a federal grand jury, and otherwise corruptly obstructed and impeded said official proceeding; in violation of Title 18, United States Code, Section 1512(c).

2. The Elements of the Offense of Conviction: The elements of the offense of obstruction of justice, in violation of Title 18, United States Code, Section 1512(c), are as follows:

First, that the defendant concealed a record, document, or other object with the intent to impair the object's availability for use in an official proceeding, or otherwise obstructed or impeded that proceeding;

Second, that the defendant did so "corruptly," that is, wrongfully and with improper purpose; and

Third, that the defendant's conduct had a relationship in time, causation or logic with the official proceeding, that is, that the endeavor had the natural and probable effect of interfering with the due administration of justice.

3. Statutory Penalties: The defendant understands and acknowledges that, as to the charge contained in the Information, the Court may impose a maximum sentence of twenty (20) years' imprisonment to be followed by a term of supervised release of up to three (3) years, and may impose a fine of up to \$250,000. The defendant also understands that, in addition to any term of imprisonment and supervised release and/or any fine that is imposed, the Court may order him to pay restitution to any victim of his offense, as required by law. The defendant understands and acknowledges that a violation of the terms of his supervised release can result in additional criminal penalties.

4. Special Assessment: The defendant further understands and acknowledges that, in addition to the sentence imposed under paragraph 3 of this Agreement, a special assessment in the amount of \$100 will be imposed. The defendant agrees that any special assessment imposed shall be paid at the time of sentencing.

5. Applicability of Sentencing Guidelines: The defendant is aware that the

sentence will be imposed by the Court after considering the Federal Sentencing Guidelines and Policy Statements (hereinafter "Sentencing Guidelines"). The defendant acknowledges and understands that the Court will compute an advisory sentence under the Sentencing Guidelines and that the applicable guidelines will be determined by the Court relying in part on the results of a Pre-Sentence Investigation by the Court's Probation Office, which investigation will commence after the entry of the defendant's guilty plea. The defendant is also aware that, under certain circumstances, the Court may depart from the advisory sentencing guideline range that it has computed, and may raise or lower that advisory sentence under the Sentencing Guidelines. The defendant further understands that the Court is required to consider the advisory guideline range determined under the sentencing guidelines, but is not bound to impose that sentence; the Court is permitted to tailor the ultimate sentence in light of other statutory concerns, and such sentence may be either more severe or less severe than the Sentencing Guidelines' advisory sentence. Knowing these facts, the defendant understands and acknowledges that the Court has the authority to impose any sentence within and up to the statutory maximum authorized by law for the offense identified in paragraph 1 and that the defendant cannot withdraw his guilty plea solely as a result of the sentence imposed.

6. Rights Waived by Pleading Guilty: The defendant understands that by pleading guilty, he knowingly and voluntarily waives the following rights:

- a. the right to plead not guilty and to persist in a plea of not guilty;
- b. the right to a speedy and public trial before a jury of his peers;

c. the right to the effective assistance of counsel at trial, including, if the defendant could not afford an attorney, the right to have the Court appoint an attorney for the defendant;

d. the right at trial to be presumed innocent until guilt has been proven beyond a reasonable doubt by the United States;

e. the right at trial to confront and cross-examine witnesses against the defendant;

f. the right to compel or subpoena the testimony of witnesses and other evidence to present at trial;

g. the right at trial to testify or to remain silent, and the right that such silence could not be used against the defendant;

h. the right to challenge the sufficiency of the Information; and

i. the right to appeal any pretrial rulings or a finding of guilt.

7. Government's Right to Disclose Information to the Court: The Office of the United States Attorney for the Southern District of Florida (hereinafter "Office") reserves the right to inform the Court and the Probation Office of all facts pertinent to the sentencing process, including all relevant information concerning the offenses committed, whether charged or not, as well as concerning the defendant and the defendant's background. Subject only to the express terms of any agreed-upon sentencing recommendations contained in this Agreement, this Office further reserves the right to make any recommendation as to the quality and quantity of punishment.

8. Acceptance of Responsibility: The United States and the defendant agree that, although not binding on the Probation Office or the Court, they will jointly recommend that the Court should reduce by two levels the sentencing guideline level applicable to the defendant's offense, pursuant to Section 3E1.1 of the Sentencing Guidelines, based upon the defendant's recognition and affirmative acceptance of personal responsibility. If at the time of sentencing the defendant's offense level is determined to be 16 or greater, and the defendant complies with the requirements of Section 3E1.1, the government will make a motion requesting an additional one-level decrease pursuant to Section 3E1.1(b) of the Sentencing Guidelines, stating that the defendant has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate their resources efficiently.

9. Limitation on Joint Sentencing Recommendations: The defendant understands and agrees that the United States will not be required to make the motion and sentencing recommendation set forth in paragraph (8) if the defendant: (a) fails or refuses to make a full, accurate and complete disclosure to the Probation Office of the circumstances surrounding the relevant offense conduct; (b) is found to have misrepresented facts to the government prior to entering this plea agreement; (c) commits any misconduct after entering into this plea agreement, including but not limited to committing a state or federal offense, violating any term of release, or making false statements or misrepresentations to any governmental entity or official; or (d) fails to provide information when requested to do so by this Office.

10. Factual Proffer: The defendant, his counsel, and the United States further agree that, had this case proceeded to trial, the United States would have introduced the following evidence, which is sufficient to support a plea of guilty and proves beyond a reasonable doubt that the defendant is guilty of the charge contained in the Information.

a. The defendant was formerly employed as a property manager by Jeffrey Epstein ("Epstein"), and lived and worked at Epstein's residence in Palm Beach, Florida, in the Southern District of Florida, in 2004 and 2005.

b. In 2006, the defendant was interviewed by members of the Town of Palm Beach Police Department regarding allegations of illicit sexual conduct between Epstein and several minor females. On January 18, 2007, Special Agents of the Federal Bureau of Investigation also interviewed the defendant in connection with a federal grand jury investigation of Epstein's criminal activity. The defendant was asked by law enforcement to produce any information or evidence in his possession related to Epstein's criminal activity. The defendant also was provided with contact information for FBI Special Agents and was asked to contact them if he remembered or discovered any further information.

c. In July and August 2009, the defendant was subpoenaed to appear for deposition in connection with several civil lawsuits filed against Epstein by minor female victims of his criminal conduct. The subpoenas called for the defendant to appear and produce documents related to Epstein. The defendant appeared for deposition but did not produce any documents.

d. Beginning in August 2009, after the conclusion of the second deposition,

the defendant contacted a cooperating witness (CW) and informed the CW that he had additional information that he had not previously disclosed to any law enforcement agency or any of the civil attorneys, including lists of “hundreds” of additional victims and their telephone numbers. The defendant agreed to turn this information over to the CW in exchange for \$50,000. The CW tried to convince the defendant to turn over the material voluntarily, but the defendant refused. The CW then approached law enforcement. During a consensually monitored telephone call on October 28, 2009, the CW told the defendant that he would be contacted by an associate of the CW regarding the purchase of the material. The “associate” was, in fact, an undercover Special Agent of the Federal Bureau of Investigation (“UCE”).

e. On October 29, 2009, the UCE contacted the defendant via telephone. The defendant again explained that he would only turn over the information in exchange for monetary compensation. During the conversation, the defendant admitted that he knew that the information was relevant to the FBI’s criminal investigation and was called for by the investigation. The defendant explained that he had not turned over the information to the FBI because: (1) it was his “property” and he should be compensated for it; and (2) he was afraid that Epstein would make him “disappear” or otherwise harm him, and the information was his “insurance policy.”

f. On November 3, 2009, the defendant met with the UCE at a predetermined location. During the meeting, the defendant produced a small bound book and several sheets of legal pad paper containing hand-written notes. The defendant discussed in

detail the information contained within the book, which he admitted removing from Epstein's home without Epstein's permission, and identified important information to the UCE. In addition, the defendant admitted that he had previously lied to the FBI during the course of the federal criminal investigation of Epstein. The defendant asked the UCE about the \$50,000.00, took possession of the money, and began counting it. The defendant was then detained for Obstruction of Official Proceedings, in violation of Title 18, United States Code, Section 1512(c), and questioned. After *Miranda* warnings were administered by agents, the defendant waived his rights and signed a written waiver of those rights. The defendant admitted that he had the documents and book in his possession and had never turned them over to local law enforcement or the FBI. In addition, the defendant advised he had witnessed naked girls whom he believed were minors at the pool area of Epstein's home, knew that his former employer was engaging in sexual contact with underage girls, and had viewed pornographic images of underage girls on computers in Epstein's home.

g. The items that the defendant attempted to sell to the UCE were reviewed by an FBI Special Agent involved in the federal grand jury investigation of Epstein. As the defendant had described, the items contained information material to the Epstein investigation, including names of material witnesses and additional victims. The items also would have corroborated testimony of victims already identified. Had the items been produced in response to the inquiries of the state or federal authorities, or if the defendant had contacted the federal authorities at any time after his initial interview to produce these items, the materials would have been presented to the federal grand jury.


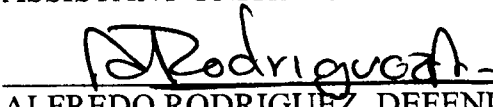
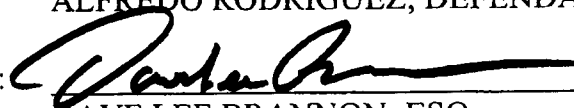
11. No Promises or Representations Regarding Ultimate Sentence: The defendant is aware that the sentence has not yet been determined by the Court. The defendant also is aware that any estimate of the probable sentencing range or sentence that the defendant may receive, whether that estimate comes from the defendant's attorney, the government, or the probation office, is a prediction, not a promise, and is not binding on the government, the probation office, or the Court. The defendant understands further that any recommendation that the government makes to the Court as to sentencing, whether pursuant to this agreement or otherwise, is not binding on the Court and the Court may disregard the recommendation in its entirety. The defendant acknowledges that no one has promised or guaranteed what sentence the Court will impose. The defendant understands and acknowledges, as previously acknowledged in paragraph 5 above, that the defendant may not withdraw his plea based upon (a) the Court's decision not to accept a sentencing recommendation made by the defendant and/or the government, or (b) the fact that he received an incorrect estimate of the sentence that he would receive, whether that estimate came from his attorney, the United States, and/or the Probation Office.

12. Voluntariness of Plea: The defendant agrees that he has entered into this Plea Agreement freely and voluntarily, and that no threats or promises, other than the promises contained in this written Plea Agreement, were made to induce the defendant to enter his plea of guilty.

13. Consent to Forfeiture/Disposal/Destruction of Items: The defendant agrees to forfeit all interests in any items seized during the course of this investigation, whether the

defendant currently owns, has previously owned, or over which the defendant currently, or has in the past, exercised control, directly or indirectly. Defendant agrees to hold the United States, its agents, and employees harmless from any claims whatsoever in connection with the forfeiture, seizure, or destruction of property covered by this agreement. The defendant agrees that this property may be destroyed or disposed of in accordance with the policies and procedures of the custodial agency. The defendant further agrees to waive all constitutional and statutory challenges in any manner (including direct appeal, habeas corpus, or any other means) to any destruction or disposal of property carried out in accordance with this Plea Agreement on any grounds, including that the forfeiture constitutes an excessive fine or punishment. Defendant acknowledges that all property covered by this agreement is subject to forfeiture as property involved in illegal conduct giving rise to forfeiture.

14. Entire Agreement: This is the entire agreement and understanding between the United States and the defendant. There are no other agreements, promises, representations, or understandings.

Date: <u>3/18/10</u>	By: <u></u> A. MARIE VILLAFANA ASSISTANT UNITED STATES ATTORNEY
Date: <u>3/17/10</u>	By: <u></u> ALFREDO RODRIGUEZ, DEFENDANT
Date: <u>3-17-10</u>	By: <u></u> DAVE LEE BRANNON, ESQ. ATTORNEY FOR DEFENDANT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,
Plaintiff,

CASE NO. 10-80015-Cr-Marra

vs.

NOTICE OF SENTENCING

ALFREDO RODRIGUEZ,
Defendant.

TO: Defendant, Defense Counsel, and U.S. Attorney's Office

By direction of the Honorable Kenneth A. Marra, United States District Judge, YOU ARE HEREBY ORDERED to appear in the United States District Court for the Southern District of Florida on **Friday, June 18, 2010** at **10:00 a.m.** for the imposition of sentence. On that date, report to the U.S. Courthouse, 701 Clematis Street, Courtroom #4, West Palm Beach, Florida, where sentence will be imposed. You will receive no further notice.

If the above-named defendant has executed a bond with this court, let this notice advise the defendant that failure to appear as directed herein could result in his/her being charged with a violation of the Comprehensive Crime Control Act (18:USC:3146), which carries a maximum sentence of up to ten (10) years imprisonment and a fine of \$250,000, or both, if convicted.

IT IS FURTHER ORDERED that a Presentence Investigation Report to this Court will be completed. DEFENSE COUNSEL (AND THE DEFENDANT, IF ON BOND) ARE TO REPORT THIS DATE TO THE UNITED STATES PROBATION OFFICE OF THE COURT FOR INTERVIEW AND FURTHER INSTRUCTION.

IT IS FURTHER ORDERED that the U.S. Attorney's Office immediately provide the U.S. Probation Department the necessary information to prepare the Prosecution Section of the Presentence Report.

Date: 3/18/10

CLERK, UNITED STATES DISTRICT COURT

Counsel: Dave Lee Brannon

Received: Alfredo Rodriguez

BY: Irene Ferrante

COURTROOM DEPUTY CLERK

Guilty Plea (X)

Trial ()

Nolo plea ()

Bond ()

Federal Custody ()

State Custody ()

To Counts _____

To Total Counts _____

AUSA: A. Marie Villafana

June 16, 2010

The Honorable Kenneth Marra
United States District Judge
Southern District of Florida

Dear Judge Marra:

It's not every day that you make a road trip down to Miami to visit your dad, only to find out a few days before you're about to drive back to New Jersey that he is going to prison. What's stranger is that this is happening to the same man who always reminded his kids to do well in school, hang out with the right crowd, and to graduate from college and become young professionals. He wished for us to not have to experience the financial troubles he went through, and only wanted the best for his kids, like any father would.

I would never imagine my father to be the type who would let the appeal of money lead him to criminal activity, because it would be extremely out of character for him to do so. His intentions are good, and to say anything otherwise would be to contradict what's he's been telling us every day since we were very young. I believe this stems from the fact that my dad was always concerned, being that we were raised in a city, that at any moment, we would be negatively influenced by our peers or our surroundings. Perhaps it was not so apparent while my siblings and I were in high school, but when I started to see my fellow peers withdraw from college, I was always reminded that it would better to just finish it in one go, then to pause and continue my college career later. While some of my friends are just now getting back into school, they've effectively pushed back their original graduation date by 2 or 3 years. I had no witnessed what my father was speaking about firsthand.

It was his values, as well as the advice he has given me, that has molded me into who I am today. I believe my father has done the best that he possibly can to provide for his family without violating the law, because doing so would not only get him in trouble, but it would also cause his children to lose respect for him and that is something he hasn't lost from us yet.

Respectfully,
Sergio Rodriguez



LETTER OF ALFREDO RODRIGUEZ COUSIN FOR JUDGE MARRA

Patricia Asbun to: dave_brannon

06/17/2010 11:01 AM

----- Forwarded message -----

From: **Luly Maertens** <lulynyc@verizon.net>

Date: Thu, Jun 17, 2010 at 10:57 AM

Subject: letter to Judge Kenneth Marra

To: patricia.asbun@gmail.com, cristina.rodriguez@oberlin.edu

Cc: Luly <lulynyc@verizon.net>

Judge Kenneth Marra,

My name is Maria Luisa Maertens, I am a Clinical Laboratory Technologist in the State of New York

and work as a Laboratory Supervisor at Harlem Hospital Center.

Alfredo Rodriguez Aramayo is my cousin.

I am writing to you because I can not believe Alfredo Rodriguez Aramayo is going to be in jail.

He was born in a very respectable family and very honest one. Alfredo Rodriguez Aramayo was

raised by his grandfather Arturo Aramayo del Rio, who was a very good lawyer and was appointed

to be a Bolivian Ambassador in England, at that time Arturo Aramayo del Rio was invited to seat

in the Lord's Chamber, which is an exceptional honor.

Alfredo Rodriguez Aramayo was in the Bolivian Army, and I remember my father Ricardo Aramayo,

took him out on weekends to spend with our family his time off, we did have good times, Alfredo enjoyed

to be with the family. He always was looking for her mother and gave her all his help emotional and financial.

Alfredo always was looking to help those they need. He is a good son, brother and a very good Father of his 3

children, all of them are in College, preparing themselves to be good professionals.

I wish he would be back and be part of the family.



Fwd: letter
Patricia to: dave_brannon@fd.org

06/17/2010 11:26 AM

Mr Brannon:

This letter is from Alfredo's exwife. It is very effective

Sent from my iPhone

Begin forwarded message:

From: marodriguez@union-city.k12.nj.us
Date: June 17, 2010 11:15:33 AM EDT
To: patricia.asbun@gmail.com
Cc: rod.martha09@gmail.com
Subject: letter

Judge Marra,

My name is Martha L. Paniagua Rodriguez and I am writing on behalf of Alfredo Rodriguez, my ex-husband. I met Alfredo in the summer of 1982 and married him January 1984. In 1986 we moved from Texas to New Jersey in search of better job opportunities.

From the beginning, I was impressed by Alfredo's intelligence, drive and desire to succeed in this country. He worked long hours, 10 or more hours a day, to provide for his home and family. We had three wonderful children that are now young, responsible adults attending full time colleges.

In 1993 we got separated and divorced in 1995. Since our separation, Alfredo was always very responsible with his child support payments but more importantly with his constant, daily and sometimes overbearing love and care for his children. When they were younger, he would call them 3, 4, 5 times a day asking them about their lives and school. Every single summer, spring and winter vacation, the kids had their airplane tickets to go to Miami to spend their vacation with their father. There were a couple of times that he did not have enough money for the tickets and he drove from Florida to New Jersey to pick up his children.

Alfredo Rodriguez is a good man. He had always worked very hard and has been an incredibly good father. He wanted his children to be the best and do their best at everything they did. He has been there for them in every sense of the word! Unfortunately, he made a mistake and used poor judgment perhaps in desperation due to the economy. In my heart I believe that if anyone deserves a chance is Alfredo Rodriguez. Take all these factors into consideration and please be lenient.

Thank you for your consideration.

Sincerely,

Martha L. Paniagua-Rodriguez

*** This Email was sent by a staff member.

6/15/2010

Honorable Judge Kenneth Marra

My name is Luis Rodriguez I am Alfredo Rodriguez's younger brother. I am writing this on his behalf.

Growing up my brother Alfredo was always there for me. And now I can be there for him.

He always sets a good example. He made excellent grades and he was friends with all his classmates.

Alfredo has 3 wonderful and caring children. Two of which will graduate from college this year. He speaks with them often 2 some times 3 times a day, all the time guiding and nurturing them. He loves them deeply. They are his life.

His moral and ethical beliefs make him an outstanding man with a good reputation in the Bolivian community. He has many friends as he is a well liked man.

My brother started a restaurant business in Florida, and being an honest, hard worker and a great employer his business thrived. He was a well known man in the restaurant business also.

He is well known for his contributions to society. He is a great son, brother, husband, father and friend. With their love and understanding and his belief in God he will once again be an outstanding citizen.

To destroy and change his life would also destroy the many, many people that love him dearly.

Alfredo is and always will be a person who sees the good in others..

Please consider this letter as an affirmation to his good standing in society

Thank you

Luis Rodriguez

To whom it may concern:

My name is Cristina Adriana Rodriguez and I am writing on behalf of Alfredo Rodriguez, my father. Although I did not grow up with my dad in the house, he has been an important player in my upbringing, both psychological and financial. As a child, he was always pushing for us to go for the best so we wouldn't have to go through the struggles that he did. My dad, having lost his father as a preteen, sought out at an early age to be the best father there could ever be. He also sought to get out of Bolivia and go to a land of opportunity where he would start us off on a foot better than the one he had. With a will and drive powered by the force of love, he succeeded at both. My father loves what he does, and relishes in providing for us and doing whatever he can to make us happy.

I remember the apartment that we grew up in: a narrow two bedroom unit where my brother, my sister and I split a room next to my mom's. Most of the memories I have from there are happy ones: playing tag with my friends outside, etc. But everytime someone would enter from the front door into our living room they would immediately be frozen into the doorway because the couch was only 3 feet away, and the wall right behind it. "Your house is so small," I remember hearing over and over. My dad would come in and sigh, wishing that he could do better for us and we could live in a more dignified home.

It took me a while to appreciate the daily phone calls from Florida to our apartment in New Jersey, but after hearing of so many friends who didn't know of their fathers, or knew that they lived down the street but never bothered to call or send money to their family, I started to see what set us aside from the pack, to see why my sister and I attended selective independent schools on full or nearly full ride, and my brother went to a selective public high school and went off to study at a technical institute. It all came together, and I felt really indebted.

It is now this desire to give back even a fraction of what I was given that motivates me in college. As we step forward from the past, I am amazed at how strong my dad's commitment to us was in spite of distance and how much that helped me succeed. Having reached all these conclusions, the last summer I spent with my father was my happiest-- because I was with my best friend.

As my parents approach the age of retirement, I would like to see them taking a step back from their roles as providers and start to live for themselves a bit more. From them I have seen that parenting is no easy task, even when your kids are good students. Everyone deserves to receive what they give, and now is the time. Mentally, physically and emotionally (the tennis elbow being a reminder), my dad has gone of his way to make us happy. He is the type of person who will help out the person off the side of the road if their car broke down (even if it takes 4 hours of time on the way back from work an hour or two away) and always appreciates the hand of a fellow Samaritan when our car breaks down. His criticisms of us and other people were always with improvement in mind-- he always tells us to strive for nothing less than the best. He does not do things intentionally to hurt other people. My dad is not subtle and my dad does not hide, making it clear for me to see that if anyone on this planet has good intentions, it is him. Please let him free, where he could have the treatment and lifestyle he strives that others will have.

Thank you for your consideration.

Sincerely,

Cristina A. Rodriguez



LETTER FROM MONICA-ALFREDO'S YOUNGEST DAUGHTER

Patricia Asbun to: dave_brannon

06/17/2010 07:34 AM

----- Forwarded message -----

From: **Monica Rodriguez** <tootnpuddle4life@yahoo.com>

Date: Thu, Jun 17, 2010 at 12:11 AM

Subject: Re: letter to dad urgent

To: Cristina Rodriguez <cristina.rodriguez@oberlin.edu>

To Judge Marra:

My name is Monica Rodriguez and I am writing on behalf of my father, Alfredo Rodriguez. For as long as I can remember, my father has always made himself a prominent figure in my life, whether I was visiting him in Miami or at his home in New Jersey. After my parents' divorce, he always sent my mother child support and sent us a little spending money whenever we needed something. Despite his long work hours, my dad always came home happy to see his children and to spend as much time with them as he could. He would constantly remind us of how much we mean to him and how much he loves us best for us in life.

When I was younger and living in New Jersey with my mom, my dad would call the house every day, most of the time multiple times a day, to make sure that all three of his kids were doing well and trying their hardest in school. My siblings and myself, my father grew up in Bolivia, a rather economically unstable country with limited opportunities. Every day, my dad pushes me to try my hardest academically, so that it'll pay off in the end. As he always said, my father's happiness through his kids and seeing them succeed.

When I was fourteen I went to boarding school in Virginia for high school and started out not knowing anyone. My father, of course, called me every single day and offered me comfort at a place where I had once felt like such an outsider. He would ask me if I'd met any interesting new people, how the weather was, and even if I had eaten that day. Every few days, he would send me money in the mail in case I needed to buy school supplies or anything else. From the bottom of my heart, my father wants the very best for me and my siblings and will do whatever he can to make sure we're happy.

Recently, my father made a mistake without realizing the trouble he was getting himself into, and it has changed everything since. I no longer talk to him every day to update him on my life and let him know that I'm doing well in school. I no longer know how my father is doing. These past few months have definitely been rough for my father and even for me. We don't want to see him in a situation like the current one. After all my father has done for me and the sacrifices he has made, I do not want to see him in any sort of trouble. Especially at his age, he deserves nothing more than to be taken care of from all his past efforts. I ask that you please keep this letter in mind in the next few days. Despite some rash decisions, my father deserves to be a free man and continue as a loving father, brother, husband, and friend. Thank you for your help.

Sincerely,
Monica B. Rodriguez

tootnpuddle4life@yahoo.com

United States District Court
Southern District of Florida
WEST PALM BEACH DIVISION

UNITED STATES OF AMERICA**JUDGMENT IN A CRIMINAL CASE****v.****Case Number - 9:10-80015-CR-MARRA-1****ALFREDO RODRIGUEZ**

USM Number: 73608-004

Counsel For Defendant: Dave Lee Brannon, AFPD
Counsel For The United States: Ann Marie Villafana, AUSA
Court Reporter: Stephen Franklin

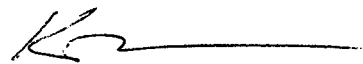
The defendant pleaded guilty to Count One of the Information on March 18, 2010. The defendant is adjudicated guilty of the following offense:

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE ENDED</u>	<u>COUNT</u>
18 U.S.C. § 1512(c)	Obstruction of justice	November 3, 2009	One

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

Date of Imposition of Sentence:
6/18/10



KENNETH A. MARRA
United States District Judge

June 18, 2010

DEFENDANT: ALFREDO RODRIGUEZ
CASE NUMBER: 9:10-80015-CR-MARRA-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **18 months** as to the One Count Information.

The Court makes the following recommendations to the Bureau of Prisons:

The defendant be designated to an institution in Miami, Florida as close to family as possible.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

DEFENDANT: ALFREDO RODRIGUEZ
CASE NUMBER: 9:10-80015-CR-MARRA-1

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **Two (2) years**.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: ALFREDO RODRIGUEZ
CASE NUMBER: 9:10-80015-CR-MARRA-1

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

Financial Disclosure Requirement - The defendant shall provide complete access to financial information, including disclosure of all business and personal finances, to the U.S. Probation Officer.

Permissible Search - The defendant shall submit to a search of his/her person or property conducted in a reasonable manner and at a reasonable time by the U.S. Probation Officer.

DEFENDANT: ALFREDO RODRIGUEZ
CASE NUMBER: 9:10-80015-CR-MARRA-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on the Schedule of Payments sheet.

Total Assessment

\$100.00

Total Fine

\$

Total Restitution

\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ALFREDO RODRIGUEZ
CASE NUMBER: 9:10-80015-CR-MARRA-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A. Lump sum payment of **\$100.00** due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the CLERK, UNITED STATES COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
400 NORTH MIAMI AVENUE, ROOM 8N09
MIAMI, FLORIDA 33128-7716**

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

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NE DOE NO. 6, CASE NO: 08-CV-80994
Plaintiff,
s.
EFFREY EPSTEIN,
Defendant.

NE DOE NO. 7, CASE NO: 08-CV-80993
Plaintiff,
s.
FFREY EPSTEIN,
Defendant.

J.M.A., CASE NO: 08-CV-80811
Plaintiff,
s.
FFREY EPSTEIN,
Defendant.

NE DOE, CASE NO: 08-CV-80893
Plaintiff,
s.
FFREY EPSTEIN,
Defendant.

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JANE DOE NO. II, CASE NO: 08-CV-80469
Plaintiff,
Vs.
JEFFREY EPSTEIN,
Defendant.

JANE DOE NO. 101 CASE NO: 08-CV-80591
Plaintiff,
Vs.
JEFFREY EPSTEIN,
Defendant.

JANE DOE NO. 102, CASE NO: 08-CV-80656
Plaintiff,
Vs.
JEFFREY EPSTEIN,
Defendant.

Page 316

Q. All right. How would you get to the master bathroom on that end?

A. You go through these double doors, go around the bed and you gain access to the master bedroom -- master bathroom, sorry.

Q. And then there was another master bathroom on the other side of the room?

A. Yes, ma'am.

Q. Where generally did the massages take place?

A. Right here, ma'am.

Q. And is that in the master bathroom?

A. Master bathroom, yes.

Q. Do you recall what color the tile was in that bathroom?

A. There was carpet.

Q. Was there tile on the walls or marble or --

A. There was a sauna here with marble but outside the sauna everything was carpet, and the walls, they didn't have any tile. Oh yes, I will say four feet off the floor they will have marble.

Q. And do you remember what color marble it was?

A. White.

Page 320

Q. Is she now a doctor?
A. No, she was a model, her husband could be a doctor but I don't think she is.
Q. Okay. So is Jean-Luc Bernell married; to your knowledge?
A. I don't know, ma'am.
Q. I think I must have gotten confused because we were talking about the picture in the house of the little girl who is lifting up her skirt or her underpants, I'd forgotten what it was.
A. Yes, ma'am.
MR. CRITTON: Form.
BY MS. EZELL:
Q. And I thought you said that that was Jean-Luc's child.
A. No, ma'am, she is Mrs. Eva.
Q. Eva's child?
A. Yes, ma'am.
Q. And she is Jeffrey Epstein's Goddaughter?
A. Yes, ma'am.
Q. Do you know where she and her mother live?
A. They live in Manhattan.
MR. CRITTON: Form.

Page 322

1 A. Yes, ma'am.
2 Q. Did any of those appear to be
3 Ms. Maxwell?
4 A. Yes, ma'am.
5 Q. You mentioned that Louella who was still
6 working there when you left --
7 A. Yes, ma'am.
8 Q. -- was a very religious woman --
9 A. Yes, ma'am.
10 Q. -- and would sometimes be upset about
11 seeing pictures of nude girls or having to pick up
12 sex toys, et cetera.
13 MR. CRITTON: Form.
14 THE WITNESS: Yes, ma'am.
15 BY MS. EZELL:
16 Q. And you said that you remembered her
17 crying because there was a picture of the Pope
18 next to a picture of a naked girl.
19 MR. CRITTON: Form.
20 THE WITNESS: Yes, ma'am.
21 BY MS. EZELL:
22 Q. Do you know who that naked girl was?
23 A. I don't remember, ma'am.
24 Q. I believe David Copperfield's name came
25 up in the last deposition as someone who would

14 (Pages 319 to 322)